

## **IDENTIFYING AND ADDRESSING SICK LEAVE USE TRENDS FOR THE TULSA FIRE DEPARTMENT**

### EXECUTIVE LEADERSHIP

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## **ABSTRACT**

The Tulsa Fire Department is committed to providing the community with quality fire and life safety service. Recent reductions in funding were forcing the department to review department policies and procedures to seek cost saving measures. One area of concern was a perception of sick leave abuse. The problem was no effort had been made to either document or address the perceived abuse. The purpose of this research was to identify suspected patterns of inappropriate sick leave usage and develop recommendations to address the abuse.

Historical and action research, combined with a review of the available literature, were utilized to answer the following research questions: (a) what are the standards for establishing inappropriate use of sick leave by an employee of a public sector fire department, (b) how have other fire departments or agencies identified specific trends of inappropriate sick leave usage in their organizations, (c) how can patterns of inappropriate sick leave usage be identified in the attendance records of the Tulsa Fire Department, and (d) what policies or procedures have been implemented by other agencies to positively impact inappropriate sick leave usage?

The procedures included a review of the published literature addressing sick leave abuse and policy content. Additional information was obtained from Internet sites and interviews with knowledgeable individuals. An external survey was used to collect information about sick leave from fire departments similar to the Tulsa Fire Department. Finally, information learned through the literature review and the external surveys was used to evaluate the electronic leave records of the Tulsa Fire Department.

The results from the research included standards for inappropriate sick leave usage are established from the policy itself since sick leave is a benefit and not a mandated right. Results also indicate other researchers used supervisor review, internal and external surveys, and computer analysis to identify specific trends of sick leave abuse. Those identified trends were then used as a guide to evaluate the leave records for the Tulsa Fire Department. The results show Tulsa does have similar trends. Finally, the research provided suggested elements of successful sick leave policies to guide in the improvement of the department's present sick leave policy.

The recommendations from this research are (a) include the front line supervisors in the management and monitoring of the department's sick leave policy, (b) pursue acquiring a sick leave monitoring and recording system capable of providing necessary reports, (c) provide quarterly reports of sick leave usage to supervisors to increase awareness of the sick leave trends, and (d) investigate and implement incentive plans aimed at reducing specific trends of sick leave abuse.

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## **INTRODUCTION**

The Tulsa Fire Department (TFD) is committed to providing the community with quality fire and life safety service. Recent reductions in funding are forcing the department to curtail spending and review department policies and procedures to seek cost saving measures. The current objective of TFD is to continue providing acceptable levels of service to the community with fewer resources, including a decreasing number of firefighters.

One area of concern to TFD management is the perception of sick leave abuse by some department members. Sick leave abuse would result in fewer firefighters available to provide the services the community expects. The problem is the TFD administration suspects sick leave abuse by some members, but no effort has been made to either document or address the abuse. Visual review of the daily attendance reports provides evidence of individual cases of sick leave abuse so the presence of abuse is tentatively established. However, the problem has not been investigated to determine the nature and scope of the abuse and therefore no appropriate response can be developed.

The purpose of this applied research project (ARP) is to identify suspected patterns of inappropriate sick leave usage by fire department members and develop recommendations to address the abuse. It is not the intention of the author to delve deeply into the statistical analysis of sick leave abuse, but merely to document its existence and develop appropriate recommendations to make a positive impact on the problem.

Historical and action research, combined with a review of the available literature, will be utilized to answer the following research questions:

1. What are the standards for establishing inappropriate use of sick leave by an employee of a public sector fire department?
2. How have other fire departments or agencies identified specific trends of inappropriate sick leave usage in their organizations?
3. How can patterns of inappropriate sick leave usage be identified in the attendance records of the Tulsa Fire Department?
4. What policies or procedures have been implemented by other agencies to positively impact inappropriate sick leave usage?

## **BACKGROUND AND SIGNIFICANCE**

TFD is a medium sized metropolitan fire department serving approximately 390,000 people in an area slightly over 200 square miles. The metropolitan area, including several smaller outlying communities, contains approximately 600,000 people. The department has an authorized strength of 691 sworn members. TFD provides the full range of services normally associated with a paid professional department and, as recently as 2001, operated with an annual budget of just over \$51 million.

Unfortunately, economic hard times since 2001 have had a profound effect on the daily operations of both the City of Tulsa and TFD. One of the areas affected is staffing levels for all departments. The history of the problem traces back to a series of events starting in the early 1980's. Tulsa faced economic decline after the heavily relied upon oil economy suffered a severe setback with the fall of the Penn Square Bank in Oklahoma City, Oklahoma. The domino effect took out a significant number of businesses across the State and severely slowed economic growth in the Tulsa area.

As a result of the loss of the oil-based industry, Tulsa diversified and focused its attention in non-oil related ventures including aerospace and communications. The new direction could hardly have been worse. Since September 11, 2001, multiple companies in those fields have either ceased operations in Tulsa or severely limited their Tulsa involvement. American Airlines has already reduced their employee numbers in Tulsa and the current outlook includes the possibility of moving the entire operation, with the corresponding 8,000 plus jobs, to another city. Citgo, one of the few remaining large oil companies, announced plans in the summer of 2003 to possibly move the entire 1000 person operation to Houston, Texas. Many other major employers in Tulsa have made similar business decisions. These moves, along with the growth and self-sufficiency of the smaller communities surrounding Tulsa, have severely impacted the city's economy. Tulsa has reportedly lost over 10,000 jobs in the past year alone and sales tax revenues continue to decline as a result of the diminished purchasing power of the citizens.

The resulting loss of sales tax revenues for the city's general fund has reduced the TFD budget to just over \$48.5 million for 2003/04 and the forecast is not better for 2004/05. Unfortunately, the department's personnel costs account for approximately 94 percent of the total budget. Several civilian staff positions have already been eliminated and all discretionary spending has been severely curtailed in prior cost cutting efforts. The only option left for the 2003/04 budget is to further reduce firefighter and staff positions. As of the summer of 2003, the department is planning to hire no new firefighters and reduce, through known attrition from retirement, over 40 firefighter positions within the next year. At least two fire companies and possibly more, depending on unplanned firefighter vacancies, will be taken out of service by February of 2004.

The significance of these reductions to this research is that for the first time in recent history, TFD will be reducing its ability to provide service to the community due to reduced staffing. Inappropriate use of sick leave will become a primary issue for the department. Unlike many departments, TFD does not hire back or hold over firefighters to fill vacancies created when members take sick leave. TFD requires a minimum of three firefighters per company. Therefore, when a minimum staffing threshold is met, every three firefighters who call in sick will result in another company out of service for the day. The result is reduced service to the community and reduced safety for the firefighters.

A visual check of the department's sick leave records by this author reveals sick leave accounting for up to 15 absences, or potentially five companies, per day. While some of the daily sick leave absences are for known valid reasons, it is the department's responsibility to attempt to reduce the inappropriate use of sick leave and thus increase our ability to provide quality service to the community. To date, this author knows of no effort by the department to either identify sick leave trends or address the issue of inappropriate use of sick leave. If

successful, this research will serve to perform both of these functions and establish a platform from which sick leave abuse can be reduced.

Identifying and addressing sick leave use trends on TFD is an example of the positive changes the new administration of the TFD would like to accomplish. However, in recent years an organizational culture has developed that does not take sick leave abuse as a serious violation of the administrative operating procedures of the department. To swing the firefighters to a more responsible attitude, which considers each member's responsibility to provide their best service, will take a comprehensive effort by the department's administration and membership. This author realizes effective leadership will play an important role in making successful changes. The topic of this ARP is therefore directly related to many of the content areas of the April 2003 *Executive Leadership* course offered at the National Fire Academy (NFA) in Emmitsburg, Maryland. Perhaps the most relevant of the content areas is *Unit 12: Influencing Styles* (National Fire Academy [NFA], 2000, pp. 12-1 to 12-32). Any changes to the present sick leave benefit administration or contract language will result from a mutual effort between the administration and the firefighters themselves. An understanding of how appropriate sick leave usage will benefit all parties must be conveyed to the department. Effective leadership qualities are essential to this process. The process will involve a combination of the logical persuasion, common vision, and participation and trust influencing styles described in Unit 12 (NFA, 2000, p. 12-4).

The topic of this research is also relevant to the five-year operational objectives of the United States Fire Administration (United States Fire Administration [USFA], 2003). The third operational objective is "To appropriately respond in a timely manner to emergent issues" (USFA, 2003). Staffing shortages are becoming a problem for fire departments across the country as a result of the economic problems experienced since September 11, 2001. Resolving excessive sick leave usage will help maintain staffing levels and is therefore a response to an emerging issue.

## LITERATURE REVIEW

The literature review for this ARP started at the Learning Resource Center (LRC) at the NFA in Emmitsburg, Maryland, in April 2003. This researcher and the staff of the LRC collected published literature on sick leave benefits and information addressing the problems associated with administering sick leave policies. Upon this author's return home, additional research continued at the Central Branch of the Tulsa City/County Library in Tulsa, Oklahoma and the TFD library at TFD Headquarters. Searches for information pertinent to this ARP found information on numerous Internet sites. Also, interviews were conducted with knowledgeable individuals in the employment of the City of Tulsa to gain initial information on the subject of sick leave and a description of the available TFD data.

Sick leave is a topic that is well addressed in current literature, especially on Internet sites relating to human resources management. Published information is somewhat harder to find. Almost none of the information found speaks to the origins of sick leave. This is an important observation since one of the research questions of this ARP specifically seeks the standards on which sick leave abuse, and hence sick leave policy itself, is based. Perhaps the reason for this

observation, according to Marty Johnson, Labor Relations Analyst with the City of Tulsa Human Resources Division, is because sick leave is a benefit and not mandated by law (M. Johnson, personal communication, July 14, 2003). In fact, "The Fair Labor Standards Act (FLSA) doesn't require payment for time not worked, such as vacations, sick days, or holidays. These benefits are matters of agreement between an employer and an employee (or the employee's representative)" (AllBusiness, 2003).

The literature review did find several policies applying to sick leave in the public sector which supports the above statement that such leave is a provided, but not mandated, benefit. Examples of Federal laws which apply to sick leave, as mentioned in an article by the Office of Human Resources Management, include the following: "Chapter 55 of Title 5, U.S Code; Chapter 61 of Title 5, U.S. Code; Chapter 63 of Title 5, U.S. Code; 5 Code of Federal Regulations (CFR) 550, Pay Administration (General); 5 CFR 610, Hours of Duty; and 5 CFR 630, Absence and Leave" (Office of Human Resource Management [OHRM], 2002). A review of those laws reveals they are all administrative in nature, detailing how sick leave is to be offered to Federal employees and how the leave is managed. They do not relate to the origin of the sick leave policy or detail the foundations on which the policy is based.

The same type of policies can be found in State and local domains. Multiple Internet sites such as those by the State of Minnesota (State of Minnesota Department of Employee Relations [SMDER], 2002), the State of Montana (Montana State Hospital Policy and Procedures [MSHPP], 2002), the City of Phoenix, Arizona (City of Phoenix, 1998), and the City of Little Rock, Arkansas (City of Little Rock, 2001) post the policy of the organization and the manner in which sick leave can be earned and used. The same types of policies are available for the private sector but are less relevant to this ARP since the City of Tulsa is a public sector employer. Still, the literature review reveals for both the public and private sectors "...employers aren't required to give paid time off for sick days or vacations days" (AllBusiness, 2003).

Although not a requirement, sick leave serves an important function in today's world. It has become almost universally offered to employees. Peacock (1998, p.18) noted sick leave was a provided benefit in 100 percent of the responding fire departments in a survey taken from the membership of the International Association of Fire Chiefs. As a benefit, sick leave is designed to be a positive factor for both the employer and the employee. For the employee "Good benefits are a key component of employee satisfaction and retention" (AllBusiness, 2003, p. 1). In a report prepared by Justex Systems, Inc. the author notes "For public safety employees, sick leave is an extremely important fringe benefit" (Justex Systems, Inc., 1991, p. 1). Sick leave allows employees who are injured or ill to recover without losing his or her job or pay (Peacock, 1998, p. 1).

The employer benefits by "...retaining an employee in to which the organization has invested a great deal of time and money" (Peacock, 1998, p.1). Another way in which the employer benefits by providing sick leave is ill employees, who would report to work to avoid the loss of pay without the benefit, can stay away from the rest of the work force while recovering. This will prevent further sickness on the job and lower productivity (NOLO, 2003). An article by Maureen Smith noted a widespread sickness through a workforce can lower morale and result in an even greater loss of productivity (About.com, 2003).

The literature review reveals abuse of sick leave benefits is a major problem for employers. Unscheduled absences, or absenteeism, is increasing in general and is most notably increasing in governmental agencies (About.com, 2003). Employees in all areas of employment are changing their attitude about sick leave and now see it as "...an earned right instead of it being an accrued privilege" (Dwertman, 1998, p. 11). Haas (1996) notes firefighters in California have come to view sick leave as a birthright to use as they see fit instead of the protective insurance policy it was originally intended to be. Clack (2001, p. 5) observes "...reporting off ill as a way to get a paid day off work became the fire department culture" in his Minnesota department. The concept that sick leave is an entitlement instead of a benefit is also discussed by both Willing (Real World Training and Consulting [RWTC], 2000) and Kinsman (California Job Journal [CJJ], 2003). Kinsman indicates the problem is becoming more widespread, and it has become more common for people to use sick days for personal needs instead of bonafide illnesses.

Rivera, in an article addressing possible cures for sick leave abuse, quotes an unreferenced study by CCH, Inc. by stating "Only one in three people who take sick days are truly under the weather..." (DallasNews.com, 2003, p. 1). Rivera continues with the statistic "In 2002, the cost per employee for so-called sick days reached an annual average of \$789, up 30 percent since 2000..." (p. 1). Smith (About.com, 2003, pp.1-2) adds to the average cost per employee concept by mentioning this figure "...does not include indirect costs such as overtime pay for other employees, hiring temps, missed deadlines, lost sales, sinking morale and lower productivity."

An article from Willing (RWTC, 2000) discussing absenteeism on a fire department adds **team cohesion**, an important component to firefighting, as another area negatively affected by excessive sick leave usage. The obvious importance of this concept is pointed out by Hancock who states: "Public safety employment is most frequently a team effort. If you want to be part of the team, you have to be there when the whistle blows and play starts" (Hancock, 1996, p. 9).

The overtime pay involved to replace absent firefighters is a major concern for fire departments that provide constant manning minimums for fire companies. This issue is of enough importance it has been the guiding force behind Executive Fire Officer (EFO) research by Dwertman (1998), Clack (2001), and Peacock (1998). In addition to the overtime expense issue, Clack also brings out another important point by stating "Full time emergency service organizations must manage reduced service delivery and increased emergency response time as a result of shortages in daily staffing" (2001, p. 6). Similarly, Claxton and Hurt detail how sick leave induced personnel shortages in Detroit resulted in a reduction in the number of staffed fire companies for emergency responses (Firehouse.com, 2000). The resulting increased response time for an aerial ladder is thought to have been a contributing factor in one of Detroit's fire deaths (p. 3).

The problem of sick leave abuse is not new to the fire service and continues to be an ongoing issue. For instance, a 1968 copy of *Municipal Fire Administration* mentions sick leave abuse and observes an increased number of firefighters will be required for fire departments who cannot adequately manage their employee's absences from work (International City Manager's Association [ICMA], 1968, p. 166). Another more recent, but still dated, example is the often quoted 1985 article by Chuck Burkell which details the damaging impact of sick leave abuse in

the fire service (Burkell, 1985). Burkell's article is remarkably complete in discussing the impact of excessive sick leave on a fire department. His list of damaging effects includes: decreased manning levels, increased personnel costs, reduced effectiveness, poor morale, and feelings of entitlement by previous non-abusers (Burkell, 1985, p. 29). The items on Burkell's list of damaging effects are still the leading topics when sick leave abuse is discussed in relation to today's fire departments.

One of the research questions of this ARP asks how other fire departments or agencies have identified specific trends of sick leave abuse in their organizations. EFO ARP's provided most of the information for this question. Clack (2001) used a combination of a computerized analysis of department sick leave records and an internal survey of firefighters to determine what they considered acceptable reasons for using sick leave. Those results, along with his literature review, produced a list of sick leave usage trends by fire department employees. Clack identifies the following reasons for, or trends of, sick leave abuse: (a) increased sick leave use on weekends and holidays, (b) use of sick leave to attend to personal business, (c) use of sick leave as revenge against unpopular administrative policy, and (d) supplementing existing leave scheduled for vacations (Clack, 2001, p. 18).

Peacock (1998), in addition to his literature review and historical review of department sick leave usage, used an external survey instrument to gather sick leave information from other departments similar in size to Fort Worth, Texas. One of the reasons Peacock lists for excessive sick leave use by firefighters is their attempt to balance the stress caused by their work. He notes the commonly used 24-hour shift causes a multitude of problems for firefighters (p. 7).

Dwertman (1998) also used department sick leave records to make a database for producing evaluative reports and charts. An interesting exception in Dwertman's research is he decided to not include sick leave information for soon-to-retain firefighters. This is of interest because it is one of Peacock's (1998, p. 4) most noted areas of sick leave abuse. Dwertman's research finds an increase in absenteeism when there is a great amount of animosity and tension between city administrators and the union (1998, p. 35).

Perhaps one of the most prevalent attitudes affecting sick leave use on fire departments is the use-it-or-lose-it condition mentioned by Peacock (1998, p. 24). In this case, otherwise conscientious employees who have accumulated their maximum allowed banks of sick leave must either use their yearly accruals or lose the accrued leave time.

Additional patterns of sick leave abuse contributed by non-fire department authors include Rivera's (DallasNews.com, 2003) finding that workers are using sick leave more frequently because of family issues. She notes absences due to stress jumped from 5 percent to 12 percent in the last two years (p. 3). Fredericks adds to the list of patterns of abuse by suggesting employers look for reoccurring absenteeism related to specific days of the week, before or after paydays, and when additional work requirements are scheduled (Fredericks, 2002).

Another research question of this ARP inquires what policies or procedures have been effective in positively impacting inappropriate sick leave usage. The literature review finds many recommendations for this topic. Most of these recommendations stress the need for a

comprehensive approach to reducing sick leave usage. Catlett advises an employer should use a **system** and not just a **program** to address excessive absenteeism. According to him, a system implies an ongoing serious effort to control absenteeism whereas a program implies a short term, Band-Aid approach (Catlett, 1990, p. 42). Rivera lists "...disciplinary action, verification of illness, personal recognition, bonuses and buybacks" as elements of approaches to curb absenteeism (DallasNews.com, 2003, p. 2).

Rivera's bonuses or buybacks are simply referred to as incentives by most of the researchers, and they are commonly mentioned options to reduce absenteeism. In their ARP's, Gregersen (1998), Peacock (1998), and Clack (2001) all mention utilizing incentives as a means of reducing absenteeism. Examples of incentives are (a) sell back a portion of sick leave on retirement, (b) converting sick leave to vacation on an annual basis, (c) use accrued sick leave to count for early retirement, and (d) converting unused sick leave to cash for purchasing deferred compensation investments (Peacock, 1998, p. 20).

Another leave concept revealed in the literature review is a departure from the traditional concepts of separate vacation and sick leave. In this type of system, the person is given a specific number of days to be used as a **unified bank** when needed or wanted by the employee (AllBusiness, 2003). The concept, also known as paid time off (PTO), is either promoted or suggested for exploration by AllBusiness (2003), Rivera (DallasNews.com, 2003), and Willing (RWTC, 2000). However, the concept of PTO is not universally accepted as prudent and Dwertman (1998, p. 36) provides information which indicates the reductions in absenteeism from PTO programs are not impressive.

Perhaps one of the most comprehensive studies revealed in the literature review is the Australian publication *Get Better Soon* (Auditor General Western Australia [AGWA], 1997). This publication details an extensive study of absenteeism in the public sector of Western Australia. The findings of the study produced a list of recommendations for the management of sick leave programs. A paraphrasing of the recommendations includes agencies should (a) prepare and publish policies and procedures for sick leave programs, (b) have accurate sick leave tracking systems, (c) be able to produce reports and have easy access to sick leave information for managers, (d) investigate the causes of sick leave absences, (e) promote healthy employees and healthy work environments, and (f) assign the responsibility of sick leave management to front line supervisors (AGWA, 1997, pp. 41-43). These recommendations seem to encompass most of the recommendations made by other authors.

Another area explored in the literature review is the current language addressing the use of sick leave by the members of TFD. Two significant local documents are found. The first is the Article 21 (Appendix A) of the *Collective Bargaining Agreement* (CBA) between the City of Tulsa and Firefighters Local 176 (City of Tulsa, 2002a). The second is the *City of Tulsa Personnel Policy and Procedures Manual* for the employees of the City of Tulsa (City of Tulsa, 2002b). The pertinent sections of this document are Section 306, Sick Leave (Appendix B) and Section 126, Absenteeism Guidelines for Promotional Opportunity (Appendix C).

Finally, data from the electronic records of TFD (Tulsa Fire Department [TFD], 2003) is examined by this author for information relating to sick leave use on the fire department.

## **Literature Review Summary**

The literature review provides much information pertinent to this ARP. Information is found that sick leave is a benefit and not required by FLSA requirements (AllBusiness, 2003). In reality, it is offered to most fire department employees (Peacock, 1998). Authors such as Clack (2001), Hancock (1996), Peacock (1998), Gregersen (1998), Haas (1996), and Dwertman (1998) confirm sick leave abuse is present in fire departments.

The benefits of sick leave to both employees and employers are discussed in various works but much of the literature addresses shortcomings of sick leave policies. Many also include recommendations to positively impact abuse in organizations. The literature review contains information pertinent to how other departments have identified trends of inappropriate sick leave usage.

Finally, the literature review has information addressing the question of what policies and procedures are thought to be beneficial in reducing sick leave abuse. Together, the above information provides an ample base to proceed with this ARP.

## **PROCEDURES**

### **Research Methodology**

This research project utilizes both action and historical research to investigate the issue of identifying and addressing sick leave use trends for TFD. The research consists of a review of the available published literature, information from Internet sources, and information gained from the electronic databases of TFD. An external survey instrument is used to gather information from fire departments in cities of similar size and makeup to TFD. The purpose of the research is to identify suspected patterns of inappropriate sick leave usage by fire department members and to develop recommendations to address the abuse.

### **Literature Review**

The research for this ARP began in April 2003 at the LRC at the NFA in Emmitsburg, Maryland. Additional research continued at both the Central Branch of the Tulsa City/County Library in Tulsa, Oklahoma, and at the library in TFD Headquarters. Sources of information for the literature review included periodicals, books, Internet sites, information obtained from the ARP's of other EFO participants, data collected from other departments, and data obtained from the electronic databases of TFD. The literature review focuses on sources of information addressing the standards for inappropriate sick leave usage, identification of sick leave abuse, effective sick leave abuse controls, and recommendations for successful sick leave abuse prevention.

## **Survey Instrument**

One of the first objectives of the research is to establish what other cities were doing to identify and address the issue of inappropriate sick leave usage. A cover letter (Appendix D) and external survey (Appendix E) were sent to fire departments of 10 cities similar in size and demographic makeup to Tulsa. These cities are referred to as Tulsa's Universe of Cities which are used to compare Tulsa's performance in many areas against other cities of comparable population, economics, and living conditions. The small survey pool is utilized since the initial literature review immediately established sick leave abuse is a widespread problem within fire departments in the United States and the need to establish the presence of inappropriate sick leave usage was not the overriding issue. Problem identification and solutions utilized by fire departments similar in size to TFD are the focus of the external survey. Seven of the 10 surveys were completed and returned.

The survey consisted of 10 questions and a request to supply a copy of the department's sick leave policy if possible. In general, the questions inquire about what the department policies are concerning sick leave and what is being done to address sick leave abuse if applicable. Questions also inquired about how effective the respondents felt the record keeping process of their department was in documenting attendance issues. The survey responses are available in Appendix F.

## **Data Review**

Another objective of this ARP is to determine if the attendance records of TFD can be used to identify the inappropriate use of sick leave on the department. The Information Services Division of TFD provided this researcher with a specially developed database of the sick leave use of fire department members. The person contacted to provide the information was Scott Robb, Manager of Information Services for TFD (S. Robb, personal communication, August 13, 2003). The database included the records from January 1, 2001 to July 31, 2003. Additional support of leave records research was provided by Richard Hall, TFD Planner. Numerous meetings with both Robb and Hall to discuss information provided by the computer database were held between September 1, 2003 and September 17, 2003. In addition to the sick leave use database, the attendance records for all department members are accessible to this author.

## **Interviews**

Marty Johnson, Labor Relations Analyst with the City of Tulsa Human Resources Division, provided initial information to this researcher regarding sick leave policy, its history, and the relevance of sick leave to today's employers (M. Johnson, personal communication, July 14, 2003). Johnson's input provided a baseline of information from which this research proceeded.

In an interview with Scott Robb, Manager of Information Systems for TFD, Robb provided this researcher with an initial overview of how TFD tracks attendance and leave (S. Robb, personal communication, August 13, 2003). In the discussion with Robb, he agreed to

review the information available through TFD databases and extract pertinent information for this ARP.

## Assumptions and Limitations

The information taken from the published material researched in this ARP is taken as authoritative and unbiased. It is assumed the responses to the external survey are factual and represent the true policies of the responding departments. Also, it is assumed the Universe of Cities used by the City of Tulsa for comparative purposes represent valuable information for this ARP.

It is also assumed the electronic attendance and sick leave records available to this researcher are accurate and representative of the actual reported attendance of the department. However, although the reported information is taken as accurate, this author knows there are holes in the data resulting from incomplete entry by field personnel. Also, the data represents a 31-month time span from January 1, 2001 to July 31, 2003, which distorts the actual number of sick leave events in some charts. An example is the **sick leave by years of service** chart in which the 31-month time span allows a firefighter to be counted in more than one category in the chart and slightly skews the results. To prevent distortion some charts use more restricted time frames.

Other limitations in the data include exclusions made to certain categories of fire department employees in an attempt to more accurately depict the actual count of sick leave usage. An example of this limitation is the omission of eight-hour employees from the charts to avoid disparities in the value of sick leave events by eight-hour employees compared to 24-hour employees. In the **sick leave usage by month** chart only sick leave data from the full calendar years of 2001 and 2002 are used to get an accurate report. Another example of excluded data is in the chart depicting sick leave usage by platoon and district. In this chart incomplete entry by field personnel limited the data by approximately 25 percent.

The most limiting factor of this research is the sick leave data available for investigation contains both bonafide sick leave usage for members and sick leave which is taken outside of the guidelines of the CBA. Since a goal of the research is to identify the inappropriate sick leave usage in department's records, there is no way to separate the data at this time.

A further limiting factor for this ARP is the small sample size used to determine what other cities, similar in demographics to Tulsa, are doing to address inappropriate sick leave on their fire departments. The use of the Universe of Cities for input is an intentional limiting factor by this author in an attempt to obtain information which will be relevant and appropriate to TFD since all reporting cities are accepted as similar to Tulsa.

Another limiting factor is some of the published information used by this researcher is sufficiently dated, over five years, to be considered non-current. Information falling into this category is used by the author to demonstrate the ongoing nature of sick leave abuse in the fire service. Also, Rivera refers to a study by CCH, Inc. in her article but no reference is provided

for the source of the information. This author is aware CCH, Inc. is an often quoted business dealing with tax law and human resource issues.

This research is limited in that although samples of sick leave policies from other departments were solicited in the external survey, none were provided. The author had hoped to use those policies to make recommendations to improve the TFD policy.

Finally, this research is limited by the technical expertise of the author in evaluating electronic databases and performing statistical analysis on the findings of those evaluations. For this reason, the author sought merely to identify trends of sick leave abuse rather than delve deeply into the statistical analysis of the leave records.

## **Definition of Terms**

**PTO.** Paid time off. Refers to a leave system that does not distinguish between vacation, sick, or other types of leave.

**ROIC.** A unique TFD tracking number assigned all department members. The letters actually come from a reporting term meaning **Reporting Officer in Charge**.

**Sick Leave.** Time allowed by an employer to an employee for absence due to sickness or non-job related injuries without loss of pay or employment.

**Telestaff.** A commercially available software product designed to provide automatic staffing, record keeping, and report writing functions.

**Universe of Cities.** A group of cities with demographic and economic characteristics similar to Tulsa, Oklahoma, and used for negotiation purposes by the City of Tulsa and Tulsa Firefighter's Local 176. The group consists of Austin, Texas; Fort Worth, Texas; Kansas City, Missouri; Tucson, Arizona; Nashville, Tennessee; Omaha, Nebraska; St. Louis, Missouri; Oklahoma City, Oklahoma; Wichita, Kansas; and Dallas, Texas.

## **RESULTS**

This ARP began as a result of suspicions by the administration of TFD that the department had members using sick leave for other than approved reasons. Visual checks of TFD daily attendance records revealed certain members had a tendency to either overuse sick leave or use sick leave next to a scheduled absence such as vacation or an hours reduction shift. Excessive sick leave before retirement is also a known problem with some members. However, no known prior effort has gone into determining the extent or pattern of the inappropriate use of sick leave.

The results of the research are obtained from the literature review, a review of the attendance records of TFD, and the information gained through an external survey sent to 10 cities similar in demographics to Tulsa, Oklahoma. Seven surveys were returned. The results

from the first question of the survey established all seven of the respondents provided sick leave benefits on their department and therefore would have input valuable to this ARP.

The literature review immediately establishes sick leave is a major concern of public and private sector organizations. There is a multitude of published works addressing sick leave and most of them are concerned with the impact of sick leave abuse by employees. In 2002, the average annual direct cost per employee for sick leave had reached \$789, up 30 percent in just two years (DallasNews.com, 2003). In addition to the direct employee costs of sick leave, indirect costs include overtime pay for employees to fill in for the absent worker, lower productivity, missed deadlines, missed sales, and lower morale (RWTC, 2000).

An indication of the extent of sick leave abuse in today's work environment is Rivera's finding that only one in three people who take sick days are truly sick (DallasNews.com, 2003). A reason for this is sick leave has evolved from its original purpose. Originally it provided the employee with a benefit to retain employment when attendance was not possible due to illness. It also allowed an employer to retain a trained employee that was absent due to sickness. Sick leave is now viewed by employees as an **entitlement** for use as needed by the employee to balance their lifestyle demands (NOLO, 2003). Entitlement days may actually account for up to 19 percent of all worker absences (RWTC, 2000). Another source notes up to two-thirds of all unscheduled sick leave may be for reasons other than personal illness (CJJ, 2003).

Authors writing about the fire service have identified excessive absenteeism as a major problem for today's fire departments. Burkell noted as early as 1985 sick leave was a chronic and formidable problem for the fire service. He observes the problem is worse in large departments and makes recommendations to address problems in the fire service in order to promote better working environments for firefighters and thus reduce absenteeism (Burkell, 1985). Claxton and Hurt discuss the effects of high absenteeism rates on the Detroit Fire Department and especially point out the decreased service to the community when absenteeism forces the closing of fire stations for lack of manpower (Firehouse.com, 2000). The administration claims abused sick and injury leave by Detroit firefighters is the source of the problem, but budget reductions have amplified the problem by reducing manpower (p. 5).

Authors from within the EFO program have also frequently addressed the issue of sick leave abuse. As of 2001, 19 EFO research projects focusing on absenteeism and sick leave are listed at the LRC in Emmitsburg, Maryland (Clack, 2001). Their research establishes sick leave is a major concern for the fire service. One of the key issues is the additional financial impact from overtime expenses incurred when off-duty firefighters are hired back or held over to fill in for absent firefighters. EFO ARP authors Clack (2001), Dwertman (1998), and Peacock (1998) all point to overtime expenses as a major reason fire departments need to address the issue.

Other findings of the researchers include methodologies to determine sick leave abuse trends, identification of the causes of sick leave abuse, and recommendations for effective policies to combat the inappropriate use of sick leave. These findings will be presented in the following discussion of the research results for the individual research questions.

## Answers to Individual Research Questions

The combined results of the literature review, the external survey, and a review of the sick leave and attendance records of TFD are used to address the research questions.

**Research Question 1.** What are the standards for establishing inappropriate use of sick leave by an employee of a public sector fire department?

The research finds sick leave benefits are provided by employers as a benefit to the employee. Sick leave benefits are not prescribed by Oklahoma or Federal law. This information was originally learned from Marty Johnson, Labor Relations Analyst with the City of Tulsa Human Resources Division (M. Johnson, personal communication, July 14, 2003).

Findings in the literature review confirm Johnson's statements. The FLSA does not require payment for time not worked by an employee, including sick leave (AllBusiness, 2003). Federal laws addressing sick leave are mostly administrative in nature and refer to how sick leave will be administered; not to establishing sick leave by Federal mandate (OHRM, 2002). The State and local references found in the literature review are of similar administrative nature. Examples found in the literature review include policies from Minnesota (SMDER, 2002), Montana (MSHPP, 2002), the City of Phoenix, Arizona (City of Phoenix, 1998), and the City of Little Rock, Arkansas (City of Little Rock, 2001). One external survey response from Ft. Worth, Texas did indicate their sick leave policy had a tie to State law but the literature review did not locate that document.

The State of Minnesota (SMDER, 2002) uses a three step process to recognize sick leave abuse. The steps consist of (a) monitoring use of sick leave by an employee, (b) recognizing sick leave use problems from the monitoring process, and (c) responding to sick leave problems. Responding to sick leave problems includes the following: counseling the employee, referring employees to the employee assistance program, checking to see if alternative arrangements can be found to assist the employee, and documenting all of the above actions (p. 2).

Montana (MSHPP, 2002) uses a more direct approach and lists specific criteria for determining sick leave abuse. The following is a listing of those criteria:

1. Persistent use of sick days the day before, or the day after, regularly scheduled days off.
2. Persistent use of sick leave the day before, or the day after, a Holiday [sic].
3. Persistent call-offs for illness on Holidays [sic] for which the employee is scheduled to work.
4. Persistent use of sick leave on the same day of the week, or month.
5. Patterned use of sick leave on, or the day after, payday.

6. An employee's use of most or all of his/her earned sick leave, unless obvious mitigating circumstances are present.
7. Visual observation of an employee's activities while on sick leave which indicates that he/she is not using sick leave properly; such as recreating or attending social functions (MSHPP, 2002, p. 1).

Little Rock addresses sick leave abuse somewhat less specifically by stating the following in their policy: "Excessive Sick Leave/unscheduled PTO usage, or repetitive leave usage which creates a pattern, misuse, etc., may indicate abuse. Situations of this type will justify reasonable investigation, which may include telephone calls or personal visits to the employee" (City of Little Rock, 2001, p. 2).

External survey question two asks the responding agency where their sick leave policy is found and on what it is based. The responses are listed in Table 1.

**Table 1**  
**Basis for Sick Leave Policy by City**

<b>City</b>	<b>Responses</b>
Dallas, Texas	City personnel rules.
Ft. Worth, Texas	State law, personnel rules, and Standard Operating Procedures.
Kansas City, Missouri	Fire department policies.
Oklahoma City, Oklahoma	Fire department policies and city personnel policies.
Omaha, Nebraska	Union contract and Standard Operating Guidelines.
St. Louis, Missouri	Department policies.
Tucson, Arizona	Director of Human Resources and approved by the City Manager.

For TFD, the sick leave policy is found in the CBA Article 21 (Appendix A) and is the main document addressing how department members may take sick leave. As part of the CBA, it is a negotiated benefit between the Union and the City. The policy establishes conditions for the **approved** use of sick leave and therefore, establishes through the converse, unapproved use (City of Tulsa, 2000a).

In addition to the CBA, the *City of Tulsa Personnel Policies and Procedures Manual* also addresses sick leave in Section 306, Sick Leave (Appendix B). It is a benefit extended to all City employees. Section 306 makes only one reference to false or fraudulent leave use and states

either will be cause for disciplinary action (City of Tulsa, 2002b). Interestingly, Section 126 (Appendix C) of the same document that applies to the requirements for promotional opportunities, extensively details guidelines to establish excessive sick leave use and patterns of absenteeism.

In review, the literature review and the external survey reveal standards for establishing inappropriate sick leave are based in department and city policies, union contracts, standard operating procedures and guidelines, and in one case, State law.

**Research Question 2.** How have other fire departments or agencies identified specific trends of inappropriate sick leave usage in their organizations?

Results for how fire departments or agencies have identified specific trends of inappropriate sick leave usage in their organizations are derived from the literature review and the external survey responses. From the literature review most of the information on this topic comes from the research done by EFO authors. This is of interest since the results of the research show there is a need to have an adequate system of tracking sick leave information in order to manage sick leave. Sources making this recommendation include Catlett (1990, p. 48), the Auditor General Western Australia (1997, p. 40), Smith (About.com, 2003, p. 2) and even the dated reference *Municipal Fire Administration* (ICMA, 1968, p. 166). In reality, it appears there are few systems designed to do this tracking. The report on Western Australia public sector agencies notes, in a survey of their agencies, 72 percent replied that no regular summary reports were provided to management about sick leave information (AGWA, 1997, p. 33).

Sources other than EFO researchers which speak to identifying trends of inappropriate sick leave use include the City of Little Rock (2001), the State of Minnesota (SMDER, 2002), the State of Montana (MSHPP, 2002), and the City of Phoenix (1998). These sources take slightly different approaches to how the tracking and identification process takes place. The City of Little Rock has a policy that does not specifically mention how inappropriate sick leave usage will be determined. Instead, the policy merely notes "Excessive Sick Leave/unscheduled PTO usage, or repetitive leave usage which creates a pattern, misuse, etc., may indicate abuse" (City of Little Rock, 2001, p.2). No mention is made as to how the inappropriate leave will be identified.

The State of Minnesota (SMDER, 2002) and the State of Montana (MSHPP, 2002) policies place the responsibility for identifying sick leave abuse at the supervisor level. No mention is made of tracking or identifying systems other than supervisor awareness. The City of Phoenix places the responsibility of review, approval, and quality control on the Personnel Officer (City of Phoenix, 1998). Still, no specific method of tracking the leave is mentioned.

The authors of EFO research projects have taken more concrete steps to determine inappropriate sick leave use in their research. Clack (2001) utilizes a detailed four-year study of his agency's sick leave to identify trends and patterns of sick leave usage. Clack also uses an internal survey to determine what the employees felt are appropriate reasons for using sick leave. Results of Clack's research include the following patterns of sick leave abuse on his department: (a) increased sick leave use on holidays, (b) increased use on certain days of the week,

specifically Saturday, and (c) the use of sick leave to attend to personal business rather than an illness (Clack, 2001).

EFO researcher Dwertman (1998) transfers existing hard copy sick leave records to electronic databases for analysis in his ARP. His analysis of the leave records is able to track sick leave used next to scheduled leave to further establish inappropriate use patterns. Another benefit of Dwertman's research is his databases are designed to be continuing analysis tools for his department. Dwertman identifies several patterns of sick leave abuse. They include (a) extra sick leave use before retirement, (b) differences in sick leave use on certain days of the week, (c) sick leave next to holidays or hours reduction shifts, and (d) excessive use of sick leave during times of tension between the Union and the City (Dwertman, 1998).

Another EFO researcher, Peacock (1998), uses an external survey of members of the International Association of Fire Chiefs to analyze what is the norm in fire departments when it comes to sick leave. He also uses an internal survey derived from the results of the external survey to determine how his Ft. Worth, Texas department compared to the norm. Peacock researches the value of incentives on the reduction of sick leave usage in a fire department. The main pattern of abuse discussed by Peacock is the **use-it-or lose-it** mentality that has become part of the Ft. Worth Fire Department culture. This pattern is especially prominent in retirement age employees (Peacock, 1998).

A final EFO researcher, Gregersen (1998), uses an external survey and an analysis of three years of his department's leave records to determine how the El Paso Fire Department compares to other departments. By comparing the results of the survey to the data from his department, Gregersen concludes the overall sick leave usage on his department far exceeds the norm. Individual patterns of abuse are not the topic of Gregersen's research. Instead, he analyzes overall sick leave use on his department and seeks to determine the organizational culture which is causing or allowing the increase in sick leave to continue.

Several of the questions from the external survey are relevant to this research question. Survey question three asks if the responding fire departments have experienced identifiable trends or patterns of sick leave abuse by their members. Of the seven responding departments, four indicated they have. The four are Dallas, Texas; Ft. Worth, Texas; Kansas City, Missouri; and Omaha, Nebraska. Oklahoma City, Oklahoma; St. Louis, Missouri; and Tucson, Arizona responded they had not.

Survey question four asks what patterns had been identified by the responding departments. The results from the four departments acknowledging they had found sick leave trends are listed in Table 2.

**Table 2**  
**Identified Patterns of Sick Leave Use by City**

<b>City</b>	<b>Responses</b>
Dallas, Texas	Monitors day of the week, month of the year, before and after holidays, and before retirement for excessive sick leave use.
Ft. Worth, Texas	Has identified pre-retirement sick leave use increase.
Kansas City, Missouri	Patterns established are on weekends, on holidays, and in deer season.
Omaha, Nebraska	Patterns identified are first or last day of a work period, near holidays, and before retirement.

Survey question five inquires what methods have the departments used to identify and document sick leave abuse. Again, the four cities which responded in question four provided information. Dallas, Texas responded they use time cards to document sick leave and make determinations from those cards. Ft. Worth, Texas uses common knowledge verified by statistical analysis of the leave time to identify abuse. Kansas City, Missouri takes note of high percentages of use by individual employees. Finally, Omaha, Nebraska tracks individual sick leave and charts overall sick leave use to allow identification of patterns of abuse.

Survey question six asks the respondents how their departments document attendance and leave records. Also, the respondents are asked to note the use of specific computer software if applicable. The responses are included in Table 3.

**Table 3**  
**Method Used to Document Sick Leave Use by City**

<b>City</b>	<b>Responses</b>
Dallas, Texas	Use of an in-house system.
Ft. Worth, Texas	Individual attendance forms are compiled and stored in a Legacy absentee system.
Kansas City, Missouri	Home grown payroll system.
Oklahoma City, Oklahoma	Time cards, AGNI and Kronos computer programs.
Omaha, Nebraska	Leave is submitted electronically and stored in a program called Purse.
St. Louis, Missouri	Uses an in-house database called DATAflex.
Tucson, Arizona	Leave accruals, usage and balances are maintained through Advantage H.R. Release 2.3.2. Attendance is documented through Telestaff by Principal Decision Systems International.

Survey question seven also applies to research question two by asking if the respondents feel the record keeping system of their department is adequate to document the attendance and leave of their employees. All seven of the responding departments answer they feel their system is adequate. In addition to the yes or no response to the question, two departments had comments. Ft. Worth noted their system captures the needed information but the system is archaic. Tucson added the software program, Telestaff, can provide ad-hoc reports based on the various leave codes used by the system.

A review of the results for research question two reveals other researchers and departments have used computer analysis, supervisor attention, manual documentation, and surveys to establish patterns of inappropriate sick leave use on their departments. The trends/patterns of inappropriate sick leave usage identified in the research are as follows:

1. Increased use on specific days of the week.
2. Increased use in specific months of the year.
3. Use of sick leave before or after holidays.
4. Use of sick leave before or after hours reduction shifts.
5. Use of sick leave on the first or last day of a work period.

6. Increased use of sick leave prior to retirement.
7. Increased use by members who have accrued a full bank of sick leave and must either use the newly accrued sick leave or lose it.
8. Increased departmental use of sick leave when tensions between workers and the administration are present.
9. The use of sick leave to attend to personal matters.
10. Increased use of sick leave during specific seasons of the year such as hunting season.

**Research Question 3.** How can patterns of inappropriate sick leave usage be identified in the attendance records of the Tulsa Fire Department?

The manager of the Information Services Division of TFD provided this researcher with a comprehensive spreadsheet derived from the in-house developed database the department uses to track attendance and leave. The database is based on Microsoft's Access program but was customized by the Information Services Division. The spreadsheet contains 31 months of data from January 1, 2001 until July 31, 2003. By separating out pertinent data from the master spreadsheet into smaller specific queries, information about the leave patterns of TFD can be established.

The research into the data began by using the results from the literature review and the external survey to establish a list of potential abuse patterns. The list, established in the results of research question two, is used as a guide in the following evaluation of TFD leave records.

### **Total and Average Use**

The first consideration of the research is to determine how many of the firefighters are actually utilizing the sick leave benefit and how often. The data reveals there are 7663 total sick leave use events for all firefighters in the 31 months of data. Of those events a total of 622 unique firefighter identification numbers, referred to as ROIC's, are present. This reveals 622 of the 691 firefighters on the department used some sick leave in the 31-month period.

The next issue addressed is the average use of sick leave per firefighter. There are 2726 total sick leave events in 2001. This equates to an average use of 3.95 events per firefighter. In 2002 there are 2674 total sick leave events. This results in 3.87 average events per firefighter.

## Specific Days of the Week

One of the identified trends of sick leave abuse is the tendency for some members to use specific days of the week. Utilizing the entire 31-month database, the research reveals there is an uneven use of sick leave on different days. For TFD, Friday is the most likely day for sick leave events followed by Saturday. The weekdays of Monday through Thursday are fairly consistent with less than 24 events separating the highest from the lowest usage. Sunday has a noticeably lower occurrence of sick leave events. These findings are consistent with the findings of other departments. The actual figures from the research are as follows: Sunday, 990; Monday, 1186; Tuesday, 1207; Wednesday, 1185; Thursday, 1183; Friday, 1330; and Saturday, 1215. The results are graphically illustrated in Appendix G.

## Specific Months of the Year

The findings of the literature review and the external survey indicated specific months of the year may be more prone to the use of inappropriate sick leave. Research into this potential pattern of abuse for TFD began by utilizing both 2001 and 2002 sick leave events. The total number of events is reduced to 5399 due to the use of only 24 months of data. The sum of the two years, by month, results in the following figures depicted in Table 4

**Table 4**  
**Sick Leave Events by Month of the Year, 2001-2002**

<b>Month of the Year</b>	<b>Number of Events</b>
January	375
February	497
March	484
April	468
May	513
June	514
July	424
August	398
September	383
October	439
November	451
December	453

The three highest months of usage are February, May, and June. The four lowest months of usage are January, July, August, and September. The results are not consistent with the findings of others that find high sick leave use during summer vacation months and during hunting seasons. A graph illustrating the events by month of the year is included in this ARP as Appendix H.

### **Sick Leave Use by Years of Service**

An evaluation of the effect of years of service on the department as it relates to the average amount of sick leave used produces an unexpected result. A long held belief on TFD is a few abusers have been responsible for the majority of the sick leave taken and the department's older, more senior members were no more likely to take sick leave than others. The research shows a trend indicating otherwise. By breaking down years of service into five-year divisions, and dividing by the number of members in each division, a pattern showing increased average sick leave use by more senior TFD firefighters is evident.

Firefighters in the group with 16-20 years on the job are almost twice as likely to take sick leave as firefighters in the 0-5 year category. A further increase takes place in the 20-25 year category. The actual research findings by are shown in Table 5. The table represents an average use per firefighter over the 2001-2002 period. A graph of the table is included as Appendix I.

**Table 5**  
**Average Sick Leave Events per Firefighter by Years of Service**

<b>0-5 Years</b>	<b>6-10 Years</b>	<b>11-15 Years</b>	<b>16-20 Years</b>	<b>21-25 Years</b>	<b>26-30 Years</b>
5.95	7.27	9.34	10.64	13.67	11.89

### **Sick Leave Use by Platoon and District**

The research data is also analyzed to determine if there is a significant difference in the amount of sick leave taken by each of the three platoons. The research reveals, over the 31-month period the data covers, A Platoon had 2508 sick leave events, B Platoon had 2582, and C Platoon had 2305. The figures seem to represent a fairly consistent use between the shifts.

To further determine the actual use of sick leave the data is divided into events by both platoon and district. The total number of sick leave events for each of the five districts, over the entire 31 month period, are divided by the actual number of assigned firefighters to produce an average use per firefighter per district. The figures represent totals from July 1, 2001 to July 31, 2003. The results are depicted in Table 6.

**Table 6**  
**Average Sick Leave Events per District**

<b>District</b>	<b>A Platoon</b>	<b>B Platoon</b>	<b>C Platoon</b>
<b>1</b>	12.94	14.13	8.66
<b>2</b>	8.93	6.82	8.75
<b>3</b>	8.63	9.92	7.69
<b>4</b>	11.51	9.89	14.16
<b>5</b>	9.88	11.53	6.78

A graph of Table 6 is included as Appendix J.

### **Sick Leave Use Next to an Hours Reduction Shift**

Another area of potential sick leave abuse identified by the literature review and external survey is the tendency for firefighters to take sick leave in connection with an hours reduction shift. For TFD, firefighters receive one hours reduction shift off every 14th shift. Therefore, the chance of an arbitrary sick leave event falling either the shift before or after an hours reduction shift is 2 out of 14. This equals a 14.29 percent chance of a sick leave shift falling next to an hours reduction shift by coincidence. A visual review of the data reveals several users of sick leave with ratios much higher than 14 percent. In fact 218 out of the 622, more than a third of the total sick leave users, are above 14.29 percent. No computerized search method was found to perform a complete analysis of the issue but there appears to be a tendency to combine hours reduction shifts with sick leave.

### **Top Users of Sick Leave**

A final area of the research into the data is an evaluation of how much leave is accounted for by the top users. Other researchers such as Burkell (1985) found a large percentage of the total sick leave of an organization is actually used by a small percentage of the employees. In Burkell's research, he found 90 percent of the sick leave is taken by 10 percent of the workers. A review of TFD data reveals a similar but less profound finding. For TFD, the top 20 percent of the sick leave users account for 51 percent of the total sick leave. The top 10 percent of users account for 33 percent of the leave, and the top 5 percent of the users account for 20 percent of the total sick leave for the department. A graph depicting these figures is included as Appendix K.

Some possible areas of inappropriate sick leave use identified in the literature review and the external survey could not be researched with the available data. Those include (a) sick leave next to a holiday, (b) use of sick leave at the beginning or end of a work period, and (c) when tensions exist between employees and the management.

**Research Question 4.** What policies or procedures have been implemented by other agencies to positively impact inappropriate sick leave usage?

Results for research question four come from both the literature review and the external survey. Survey question eight asks the respondent what policies or procedures their department has implemented to reduce the inappropriate use of sick leave. Questions 9 and 10 ask for programs that have been effective and recommendations to make a positive impact on sick leave abuse. The combined responses for all three questions are detailed in the following paragraphs.

Dallas Fire Department has supervisors call members at home to verify the member's status. Their policy requires members on sick leave to remain at home from 8 a.m. to 5 p.m. on their workday. The department also requires a doctor's release under some conditions which seems to limit the number of days a member will take off. St. Louis Fire Department also requires residence checks for firefighters on sick leave but adds bonus pay for those with no sick leave for a given period of time. Both are considered effective.

Ft. Worth Fire Department has a vacation buyback policy limited by the amount of sick leave taken by the member during the year. Although this would seem to be an effective tool, the survey response indicates it is not. Kansas City Fire Department counsels employees who exceed certain levels of usage and the results have been positive. Oklahoma City Fire Department provides a variety of other benefit leave days which allows the employee to take leave without having to abuse sick leave. They also require a doctor's release for leave in excess of three working days.

Omaha Fire Department is just now developing a policy to address the recent appearance of sick leave abuse. To date, the department has had success with providing extra time off for members with a full sick leave bank. Tucson Fire Department provides a variety of incentives. Members who have not used sick leave are offered extra leave. Retiring members of the department are allowed sick leave sell back based on the amount of sick leave accrual at the time of retirement. The sick leave sell back policy is very successful since it can increase a retiring firefighter's pension.

Extra recommendations added by the respondents include (a) Dallas and Oklahoma City suggest placing the tracking and documenting of sick leave on the employee's immediate supervisor, (b) Omaha has employees who utilize sick leave write a letter to explain their illness, and (c) Kansas City provides incentives such as leather helmets and leather boots for perfect attendance.

In addition to the specific policies and procedures implemented by the survey respondents, the literature review provides information about what features a good sick leave reduction policy should contain. Hancock compiles a list of recommendations. He suggests the following: (a) take a critical look at your organization and policies as they relate to sick leave, (b)

clearly define sick leave and absenteeism policies, (c) involve supervisors in monitoring and managing sick leave, (d) have reasonable incentives for low sick leave use, and (e) regular and consistent application of sick leave policies (Hancock, 1996).

Clack also produces suggestions for essential elements of a good sick leave policy. His list includes (a) the policy should include a clear statement of purpose by management of the intent to reduce sick leave abuse, (b) informing employees about both the financial and staffing impacts of sick leave abuse, (c) explore incentive programs to reward employees who do not abuse sick leave, and (d) hold front line supervisors responsible for monitoring and enforcing the policy (Clack, 2001).

Peacock's recommendations vary slightly from Clack's but have similar elements. He finds a good sick leave abuse policy will have (a) written policies with clearly defined responsibilities, (b) assigned accountability for managing the sick leave policy, (c) an accurate and timely records system, (d) an adequate leave tracking system, (e) enforcement, and (f) incentives for non-abusers (Peacock, 1998).

An important addition by Gregersen is progressive discipline for sick leave abusers to reinforce the management's commitment to the sick leave policy (1998). Dwertman (1998) adds careful documentation as an important consideration of a good policy.

Authors outside the fire service make many of the same recommendations as those mentioned by the above EFO participants. Some additional suggestions include Rivera's list which includes verification of illness and personal recognition as elements of a successful policy to stop abuse (DallasNews.com, 2003). Kinsman notes the increased demands on an employee's personal time and recommends increased flexibility be designed into leave policies to curb unscheduled absences (CJJ, 2003).

Probably the most complete listing of considerations for effective sick leave policies is the Australian publication *Get Better Soon* (AGWA, 1997). The findings of the study produced a list of recommendations for the development and management of sick leave programs. These recommendations seem to encompass most of the recommendations made by other authors and include them into one work. A paraphrasing of the applicable recommendations includes agencies should (a) prepare and publish policies and procedures for sick leave programs, (b) have complete and accurate sick leave tracking systems, (c) be able to produce reports and have easy access to sick leave information for managers, (d) investigate the causes of sick leave absences, (e) promote healthy employees and healthy work environments, and (f) assign the responsibility of sick leave management to front line supervisors (AGWA, 1997, pp. 41-43).

## **Other Results**

### Interviews

Results from the research include information gained from interviews with people knowledgeable about sick leave policies and how TFD tracks attendance and leave. An interview with Marty Johnson, Labor Relations Analyst with the City of Tulsa Human Resources

Division, (M. Johnson, personal communication, July 14, 2003) resulted in the information that sick leave is a benefit provided by the City and is not mandated by local, State, or Federal law.

An interview with Scott Robb, Manager of Information Services for TFD (S. Robb, personal communication, August 13, 2003) resulted in his assurance he could provide a database of TFD sick leave records for my research. The database included TFD leave record information from January 1, 2001 to July 31, 2003.

## Final Product

A result of this research is a final product that consists of a PowerPoint® presentation designed to provide information about the present department sick leave trends and the implications for TFD. The presentation will be presented to the field supervisors of TFD. The identified trends are a result of the information gained through the research of the TFD leave records. The focus of the presentation, involving front line supervisors in sick leave policy and increasing their awareness, is a result of the information gained in the literature review and external survey which reveals the effective elements of a good sick leave policy.

## **DISCUSSION**

The first research question asks what are the standards for establishing inappropriate sick leave in a public sector fire department. The initial information provided to this researcher through an interview with Marty Johnson, Labor Relations Analyst with the City of Tulsa Human Resources Division, (M. Johnson, personal communication, July 14, 2003) indicates sick leave policy is a benefit and not prescribed by law. This would indicate the standards for establishing inappropriate sick leave use are established through the policy itself. The research results confirm Johnson's assessment of the basis for sick leave. Sick leave policies are matters of agreement between an employer and an employee or a party representing the employees (AllBusiness, 2003). FLSA, another authoritative influence in establishing rules for working hours and conditions, doesn't require payment for time not worked, including sick days (AllBusiness, 2003).

Federal laws referencing sick leave reviewed in the research are administrative in nature and speak to the administration of sick leave in individual Federal organizations, not to the establishment of sick leave as a matter of Federal law (OHRM, 2002). Similarly, researched State and city policies establish how sick leave will be administered in those agencies but do not mandate the establishment of sick leave in other organizations. Examples can be found in policies by the State of Minnesota (SMDER, 2002), the State of Montana (MSHPP, 2002), the City of Phoenix, Arizona (City of Phoenix, 1998), and the City of Little Rock, Arkansas (City of Little Rock, 2001). Therefore, the inappropriate use of the sick leave will be established as a violation of the individual policies in all areas of employment, not by the violation of law or established standards.

For TFD inappropriate sick leave use is established through Article 21 of the negotiated CBA between the City of Tulsa and Firefighters Local 176 (Appendix A). Article 21 establishes

conditions under which sick leave can be taken. Inappropriate sick leave use is therefore established when sick leave is taken for other than approved purposes. The *City of Tulsa Personnel Policies and Procedures Manual* (Appendix B), which can be applicable to TFD employees under specific circumstances, similarly states only the criteria for taking approved sick leave. However, an extensive description identifying inappropriate sick leave use is listed under a section of the same manual that deals with absenteeism as it relates to promotional eligibility (Appendix C).

For TFD implications of the research are the standards for establishing inappropriate sick leave are established only through violations of the City's policies and procedures and through the negotiated fire department CBA. Changes to the CBA may be made only with approval from both parties, which traditionally is a difficult process. Therefore, attempts to change the existing sick leave policy for TFD will not be made quickly, without much debate, if at all. Any effort to reduce inappropriate sick leave usage by TFD members must therefore be made initially from within the present framework of TFD's sick leave policy.

Research question two seeks to determine how other fire departments or agencies identified specific trends of inappropriate sick leave usage. Much of the information for this research question came from the works of other EFO authors. The most common methods of identifying sick leave trends on fire departments include computer analysis of leave and attendance records (Clack, 2001; Dwertman, 1998), the use of external surveys to establish norms of sick leave use (Peacock, 1998; Gregersen, 1998), and the use of internal surveys to determine the circumstances under which firefighters feel justified in using sick leave (Clack, 2001).

From the research of Clack (2001), Dwertman (1998), and Peacock (1998), combined with the survey responses of Kansas City, Missouri, and Omaha, Nebraska, a list of identified patterns of inappropriate sick leave is established and then used to assist in researching the leave records of TFD. The list is as follows:

1. Increased use on specific days of the week.
2. Increased use in specific months of the year.
3. Use of sick leave before or after holidays.
4. Use of sick leave before or after hours reduction shifts.
5. Use of sick leave on the first or last day of a work period.
6. Increased use of sick leave prior to retirement.
7. Increased use by members who have accrued a full bank of sick leave and must either use the newly accrued sick leave or lose it.
8. Increased departmental use of sick leave when tensions between workers and the administration are present.

9. The use of sick leave to attend to personal matters.
10. Increased use of sick leave during specific seasons of the year such as hunting season.

There are two main implications for TFD from the findings of research question two. First, other researchers establish a list of what they have found are the inappropriate uses of sick leave on their departments. This researcher can use those identified abuses as a guide to interpret the leave records of TFD. Second, the research of Catlett (1990), the Auditor General Western Australia (1997), Smith (About.com, 2003) and even the dated reference *Municipal Fire Administration* (ICMA, 1968) indicates organizations must have an adequate tracking system in order to track inappropriate leave by department members. This researcher noted TFD's sick leave records for department members are accessible but not easily researched for significant information and trends. A system providing easily obtained records for front line supervisors is needed.

Research question three seeks to determine how patterns of inappropriate sick leave usage can be identified in TFD's attendance records. The database provided to this researcher is a limited sample from TFD records but was sufficiently adequate to perform many inquiries into sick leave use. It is important to remember the data includes long term legitimate uses of sick leave as well as suspected sick leave abuse.

Results from research question two provided a list of potential patterns of sick leave abuse. These potential patterns were then used to investigate the TFD sick leave data to determine if the same patterns could be identified for department members.

One of the first inquiries is to determine what the average sick leave use is for TFD members. Leave records for 2001 and 2002 are researched. In 2001, there are 2726 sick leave events and the average number of sick leave events per firefighter is 3.95. For 2002, there are 2674 total sick leave events for an average of 3.87 events per firefighter. These numbers seem to compare favorably to the findings of Clack (2001, pp. 14-15) who determines the average use on his department is from 4.4 to 5.1 shifts per firefighter over a five-year period. Hancock (1996, p. 5) found average sick leave per firefighter in a range of 2.2 days for Milwaukee, Wisconsin to 18 days per firefighter in Cleveland, Ohio. This would seem to indicate TFD experiences no more sick leave per firefighter than other organizations, and in fact, compares favorably with the identified cities.

The data reveals TFD experiences unequal sick leave usage on different days of the week (Appendix G). The same variations in use by day of the week are detailed in research by Clack (2001) and Dwertman (1998). As an example, Dwertman's research shows a higher use of sick leave on Mondays, Fridays, and Saturdays. For TFD the highest usage is on Fridays, Saturdays, and surprisingly, on Tuesdays. Fridays and Saturdays are consistently noted in the research as high usage days in other departments.

A similarity worth noting between Dwertman's research and the TFD results is Sunday is a day of low usage. Dwertman associates this finding with the fact Sundays at fire stations are known for being slow work days with sports on television and no scheduled duties (1998, p. 23).

Varied sick leave use by month of the year is another commonly researched factor on fire departments. For TFD, the data shows fairly consistent use of sick leave throughout the year with a few exceptions (Appendix H). January is the lowest month of use which is somewhat unexpected since January, February, and March are normally considered months with high occurrences of bonafide sickness. A similarity with Dwertman's (1998) research is low sick leave use during the summer months. For TFD, July, August, and September are the next lowest months of sick leave use. A possible explanation of this finding is the most senior members of TFD have the highest average use of sick leave. Vacation is scheduled by seniority so it would naturally follow the most senior members of the department have vacation scheduled during the popular summer vacation months and, therefore, they do not call in sick since they are already off work.

A finding of the research that is not consistent with the research of Clack (2001), Dwertman (1998), or the survey results from Kansas City, Kansas, is TFD does not experience an identifiable rise in sick leave use during the fall hunting season.

An interesting finding of the research is TFD definitely has increasing use of sick leave by members who have more seniority on the job. This finding is represented in the chart in Appendix I. The chart depicts a steady increase in use from the time a firefighter is hired until 25 years of service is reached. The highest use is in the 16-20 and 21-25 years of service categories. Perhaps two factors influence this finding. The first is it takes a TFD firefighter approximately 12 years to fully maximize their sick leave bank of 70 shifts. Increased use after 12 years on the job may be attributable to a use-it-or-lose-it mentality mentioned by Peacock (1998, p. 24). The second reason for the increase sick leave use by more senior firefighters is that some pre-retirement firefighters who have not maximized their sick leave bank may be using all of their accrued sick leave. For TFD, a retiring firefighter must have at least 50 24-hour shifts banked before they are eligible to receive any buyback benefit. A firefighter approaching retirement may opt to use his accrued sick leave rather than lose all of it with no financial compensation. This is a policy problem that must be addressed by TFD if progress is to be made against this pattern of inappropriate sick leave use. At present, there is no incentive not to use the accrued sick leave if the minimum 50-shift bank is not achieved.

The research shows TFD has only a slight difference in sick leave use by the three different platoons. Over the 31-month period the data covers, A Platoon had 2508 sick leave events, B Platoon had 2582, and C Platoon had 2305. A more varied difference is found in the use of sick leave by the individual districts on each platoon (Appendix J). The significance of the findings is that for the most part, the average sick leave use by the individual districts seems to correspond with the management style of the District Chiefs. Examples include Districts B2 and C5 which have low sick leave use with District Chiefs who are characterized by strong management styles and strict compliance to the rules and regulations of the department. To the contrary, Districts B1 and C4 have the highest sick leave use with District Chiefs with more liberal views concerning the use of sick leave. An observation by this researcher is the expectations of the supervisors are reflected in the sick leave use by the firefighters.

Sick leave use combined with other scheduled days off is another area of sick leave abuse revealed in the research of others. Although the data available for this research could not be queried for sick leave taken next to vacation shifts, sick leave taken next to hours reduction shifts

is considered. The finding that there is a propensity for TFD firefighters to combine sick leave with hours reductions shifts is yet another indication of patterns of sick leave abuse for TFD. Also, visual observation of the leave records reveals some individuals are using vacation in conjunction with sick leave shifts. Extending scheduled leave with sick leave represents a verified abuse problem that still needs quantifying by further research.

A final finding of the data research deserving discussion is an investigation into the portion of sick leave used by the top users. Burkell (1985) stated the top 10 percent of users accounted for up to 90 percent of the total sick leave use. For TFD the figures are not as profound but are still indicative of a problem. Appendix K clearly shows the top users of sick leave account for a majority of TFD's total sick leave usage. Two factors may account for this fact. First, the research shows members who abuse sick leave tend to be consistent abusers and would naturally account for a high percent of the total use. A second reason is, according to Section 126 of the *City of Tulsa Personnel Policies and Procedures Manual*, most legitimate sick leave use is taken in multiple shift increments since the sick leave can be for serious reasons such as broken bones, long term ailments, etc. (City of Tulsa, 2002b). Still, the number of firefighters with serious off-duty injuries or ailments does not seem to justify the overwhelming percentage of total use taken by the top 20 percent of the sick leave users.

Taken as a whole, the data research clearly identifies several patterns of sick leave abuse by TFD firefighters. The implications for TFD are that procedures to reduce sick leave abuse must be developed and implemented to address the problem if staffing levels are to be protected.

The final area of research discussion is the topic of research question four; what policies or procedures have been implemented by other agencies which positively impact inappropriate sick leave usage? By combining the research results into a list of recommendations for the elements of a good sick leave policy, this ARP provides a tool to guide TFD in the process of policy evaluation and development. The following list, compiled from the results of the research, is a collection of the suggestions from the research of Clack (2001), Hancock (1996), Peacock (1998) and the Auditor General Western Australia (1997).

1. Departments should prepare and publish clearly defined policies and procedures for sick leave programs.
2. The policy should include a clear statement of purpose by management of the intent to reduce sick leave abuse on the department.
3. The policy should inform employees how sick leave abuse impacts the mission of the department in the areas of finance, staffing, and the ability to deliver service.
4. Departments should have complete and accurate sick leave recording and tracking systems.
5. Departments should be able to produce reports and have easy access to sick leave information for supervisors.
6. Departments should investigate the causes of sick leave absences.

7. Departments should involve front line supervisors in monitoring and managing sick leave.
8. Departments should have regular and consistent application and enforcement of sick leave policies.
9. Departments should explore and provide incentive programs to reward employees who have low sick leave use.
10. Departments should promote healthy employees and healthy work environments to promote employee attendance and reduce absenteeism.

When compared to the TFD sick leave policy found in Appendix A, several of the above listed suggestions are noticeably missing. The TFD policy does contain clearly defined published policies and procedures. Incentives are offered to firefighters who use either no sick leave or only one shift throughout the year. Also, a department physical fitness program provides an opportunity for exercise and conditioning which in theory should reduce absenteeism by increasing the health levels of the department. However, the department's policy **does not** (a) have a clear statement of purpose by management of the intent to reduce sick leave abuse on the department, (b) inform employees how sick leave abuse impacts the mission of the department in the areas of finance, staffing, and the ability to deliver service, (c) have a complete and accurate sick leave tracking system, or (d) produce reports and have easy access to sick leave information for supervisors. To continue, the department is not consistently investigating sick leave absences, adequately involving front line supervisors in sick leave monitoring and management, and the enforcement at this time is far from regular and consistent.

Implications for TFD from the research into policy suggestions are that many of these items can be readily implemented without negotiation and theoretically positively impact inappropriate sick leave use on the department. Therefore, to this researcher, supervisor education and involvement is a logical first step in addressing TFD's identified patterns of sick leave abuse.

The research reveals two additional factors that can supplement the suggested sick leave policy elements. Incentives for low sick leave use and procedures to reduce sick leave use are discovered in the research. Although not all incentives achieve positive results, the Tucson Fire Department reports success with special buyback incentives which can benefit a retiree's pension. Similarly, the St. Louis Fire Department has had success with vacation buyback. The Oklahoma City Fire Department has had success by providing additional types of benefit days so employees do not have to lie to take off work when personal needs prevent attendance.

Success has also come from implementing procedures aimed at ensuring compliance to sick leave policies. Dallas, Texas, and Oklahoma City, Oklahoma, have firefighters bring a doctor's statement after using sick leave and report this does limit the number of days taken at one time. Kansas City, Missouri, firefighters are counseled when pre-established use levels are exceeded. The St. Louis Fire Department requires residency checks to confirm an ill firefighter remains at home. All of these procedures have been successful tools to reduce sick leave abuse.

These are just a few of the suggestions revealed in the research but the concept of providing both incentives for non-abusers and enforcement procedures to ensure compliance is found desirable in a comprehensive sick leave policy.

## **RECOMMENDATIONS**

The research establishes sick leave is a benefit provided by the employer. Therefore, for TFD, the appropriate use of sick leave will be defined by policy provided in the CBA between the City and the Union. Leave outside of the policy guidelines will be inappropriate and subject to disciplinary action. The research also establishes a list of potential patterns of abuse that are used to evaluate the leave records of TFD. The research into the records indicates TFD has identifiable patterns of inappropriate sick leave use. Another result of the research is a list of 10 suggested elements of a good sick leave policy.

A comparison between the suggested policy elements and the actual TFD policy reveals TFD implements only a few of the suggestions derived from the research. TFD does have a clearly defined written policy. Incentives are offered to firefighters with low sick leave use, and a department physical fitness program seeks to improve the overall health of the employee. This still leaves seven of the suggestions unimplemented and therefore available for utilization. To this researcher, the most intelligent plan of action is to first implement the suggestions for administering the policy and then try to make changes to the negotiated CBA sick leave policy.

This researcher recommends the first action for TFD be the inclusion of front line supervisors in the management and monitoring of TFD's sick leave policy. This will be initiated through the use of the final product of this research, the PowerPoint® presentation included as Appendix L, which demonstrates the scope and impact of the department's sick leave problem. The presentation will (a) raise the awareness level of the front line supervisors, (b) inform the supervisors of the department's commitment to reducing inappropriate sick leave, (c) explain the need for consistency in the administration of the policy, and (d) explain the expectations of management that the supervisors will be involved in reducing inappropriate sick leave use.

The second recommendation of this research is TFD pursue acquiring a sick leave monitoring and recording system capable of providing the necessary reports to all levels of supervisors. The present system allows tracking of individual records but offers little capability to the field supervisors to track and identify sick leave abuse. The research identified software programs, such as Telestaff, which deserve investigation to determine effectiveness.

A third recommendation is for TFD to provide quarterly reports to the entire membership noting the overall leave use of the department and documenting the sick leave trends identified in this research. This researcher notes a lack of awareness in department members in regards to inappropriate sick leave trends. Awareness by the employees that the department is tracking these trends may in itself cause a reduction in use.

A fourth and final recommendation is for TFD to investigate and implement successful incentive plans aimed at reducing absenteeism, especially plans aimed at the use-it-or-lose-it mentality that results when non-abusers attain their maximum sick leave accruals. From the time a firefighter attains their maximum accrual, they are actually negatively rewarded by receiving

no incentive and losing their accrued sick leave. The research identified incentive plans, specifically those incentives used by Tucson, Arizona, which have positively impacted this situation.

Although beneficial, changes to sick leave incentives can only result through negotiations between the City and the Union. This has traditionally been a difficult task. However, in consideration of both the severe impact absenteeism will soon have on service delivery and on the reduced safety of firefighters when staffing falls below prescribed levels, the two parties may be interested in taking a new look at the issue.

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## **Appendix A**

### **Article 21, Sick Leave**

**Section 21.1** Employees shall be governed by the following provisions relating to the accrual and expenditure of sick leave.

**Section 21.2** Sick leave shall be accrued according to the following provisions:

**A.** On the first day of the month which coincides with or next follows completion of the probationary period, twenty-seven (27) day work period, 24 hour shift schedule employees shall be credited with six (6) twenty-four (24) hour shifts. Seven (7) day work period, 8 hour shift schedule employees shall be certified with thirteen and eighty-six hundredths (13.86) eight (8) hour shifts of sick leave.

**B.** Sick leave shall thereafter be accrued on a completed calendar month basis. Each Employee covered by this Agreement shall accrue paid sick leave at the rate of twelve (12) hours (24-hour shift Employees) or nine and twenty-three hundredths (9.23) hours (8-hour shift Employees).

**C.** The amount of sick leave credited to an Employee shall be reduced by one-half (1/2) of a twenty-four (24) hour shift, or one and sixteen hundredths (1.16) eight (8) hour shifts, for each full calendar month of service for which the Employee was on leave without pay or sick leave, during the preceding twelve (12) month period.

**D.** All crediting of sick leave shall be subject to a maximum of seventy (70) twenty-four (24) hour shifts, 1680 hours, or one hundred sixty-one and seven tenths (161.7) eight (8) hour shifts, 1293.6 hours, (as appropriate).

**Section 21.3** Employees who transfer from a position which has a twenty-seven (27) day work period, 24 hour shift schedule, to a position which has a 7 day work period, 8 hour shift schedule, shall have their accrued number of sick leave shifts increased by multiplying such accrued leave by the factor of 2.31. Employees working a seven (7) day work period, 8 hour shift schedule, who transfer to a position with a twenty-seven (27) day work period, 24 hour shift schedule, shall have their number of sick leave shifts decreased by dividing by the factor of 2.31.

**Section 21.4** Sick leave shall be used:

**A.** When Employees are incapacitated by sickness or non-job-related injury;

**B.** For medical, dental, or optical diagnosis or treatment;

**C.** After exposure to a contagious disease when the attendance at duty, in the opinion of the City Physician, jeopardizes the health of others;

**D.** In the event of sickness or injury to a member of an Employee's immediate family, defined as the Employee's spouse, son or daughter, which is serious enough to warrant the presence of the Employee as certified by the attending physician, Employee's

shall be granted up to eight (8) twenty-four hour shifts, or nineteen (19) eight-hour shifts off with pay per contract year for purposes of caring for immediate family members. Additionally, if the family illness is a qualifying occurrence under FMLA statutory provisions, an employee may utilize annual leave after the use of available and appropriate sick leave benefits as provided above in this subsection.

**E.** When sick leave is used for medical, dental or optical diagnosis or treatment where the Employee is not incapacitated, he shall return to duty upon completion of the diagnosis or treatment as determined by the Employee's attending physician.

**Section 21.5** Sick leave with pay shall be granted to Employees in accordance with the following provisions:

**A.** Sick leave used shall not exceed the total amount accrued to the Employee at the time of his absence.

**B.** Leave without pay may be granted for sickness extending beyond the amount of accrued sick leave.

**C.** Sick leave shall be expended in no less than one (1) hour units.

**D.** Holidays and other nonscheduled work days shall not be included in computing sick leave expenditures.

**E.** Sick leave shall not be used to extend an absence for an on-the-job injury after injury leave is exhausted.

**Section 21.6** Sick leave shall be governed by the following provisions:

**A.** Accrued sick leave shall not be paid to an Employee upon separation, nor shall sick leave be converted to annual leave. Except that Employees whose service is terminated for reason of retirement or death shall be paid for any sick leave accrued in excess of fifty-five (55) twenty-four (24) hour shifts for twenty-seven (27) day work period Employees or one hundred twenty-seven and five one-hundredths (127.05) eight (8) hour shifts for seven (7) day work period Employees. In the event of the death of an Employee, the above-mentioned sick leave shall be paid to the beneficiary designated on life insurance policy provided by Employer.

**B.** Effective July 1, 2003, accrued sick leave shall not be paid to an Employee upon separation, nor shall sick leave be converted to annual leave. Except that Employees whose service is terminated for reason of retirement or death shall be paid for any sick leave accrued in excess of fifty (50) twenty-four (24) hour shifts for twenty-seven (27) day work period Employees or one hundred fifteen and five one-hundredths (115.05) eight (8) hour shifts for seven (7) day work period Employees. In the event of the death of an Employee, the above-mentioned sick leave shall be paid to the beneficiary designated on life insurance policy provided by Employer.

**C.** An Employee not in a reserve status who leaves his employment with the Tulsa Fire Department for military service and applies for reemployment within fifteen (15) days after rejection or ninety (90) days after honorable discharge from military service shall have his former unused sick leave credits reinstated if he is rehired within one (1) year from the date of reapplication.

**D.** An Employee who is laid off and returns to City employment within one (1) year from the date of layoff shall also have his former unused accrued sick leave reinstated.

**E.** Reporting of Sickness: An Employee who is absent from duty for reasons which entitle him to sick leave shall notify his Commanding Officer, or, if his Commanding Officer cannot be notified, his District Chief, prior to his usual reporting time, if physically able to do so. If an Employee knows he is going to be absent for more than one (1) day, he shall notify his Operations Chief of such specified days. An Employee who continues to be physically unable to perform his normal duties shall be required to present each thirty (30) calendar days a physician's statement to his Operations Chief confirming his continued inability to perform his normal duties. The Operations Chief may at any time request a medical opinion from the City Physician regarding the Employee's ability to continue or return to work.

**F.** The physician's release shall contain the dates that the Employee was under the physician's care and a general statement of the Employee's problem for which he was being treated. Employer reserves the right to require a physician's release to confirm any sick pay claim in accordance with the following provisions:

A member shall provide a medical release to his supervisor before returning to duty when he has been on sick leave in excess of either two (2) consecutive 24 hour shifts or five (5) consecutive 8 hour days. The supervisor shall require a doctor's statement for less than two (2) shifts or five (5) days if there has been a pattern of absenteeism. The supervisor will not require a release if he has knowledge sick leave has been used legitimately.

**G.** Nothing herein shall prohibit the management of the Tulsa Fire Department from investigating alleged abuses of sick leave.

**H.** Nothing herein shall supersede nor replace this Agreement and Regulations of the Tulsa Fire Department concerning sick leave administration.

**Section 21.7** Employees who use no sick leave during the calendar year shall receive the following additional shifts of annual leave or sick leave at the employee's option: twenty-seven (27) day work period Employees two (2) shifts, seven (7) day work period Employees four and sixty-two hundredths (4.62) shifts. Twenty-seven (27) day and seven (7) day work period Employees who use only one shift sick leave during the year will receive one (1) or two and thirty-one hundredths (2.31) additional shifts of annual leave or sick leave at the employee's option, respectively. For implementation purposes, the amounts shall be prorated for the period July 1, 2002 through December 31, 2002 with the eligible Employee receiving one-half (½) of the appropriate annual amount.

Format changes have been made to facilitate reproduction. While these research projects have been selected as outstanding, other NFA EFOP and APA format, style, and procedural issues may exist.

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## **Appendix B**

### **City of Tulsa Personnel Policies and Procedures, Section 306**

#### **306. Sick Leave**

- .1 Sick leave shall be granted to regular and part-time employees in accordance with the provisions set forth in this Section (Employees covered under the terms of a collective bargaining agreement shall be governed by the sick leave provisions of the agreement).
- .2 Sick leave for City employees may be used in the following situations:
  - .21 When employees are incapacitated by sickness or non-job-related injury; for medical, dental or optical diagnosis or treatment; or for pregnancy related reasons.
  - .22 For necessary care and attendance of a member of the employee's immediate family or household who is incapacitated by illness or injury.
    - .221 For the purpose of this section, "Immediate Family" shall be defined as a parent of the employee, spouse, child, or "step" situation, or has legal responsibility within these relationships (Rev.: 06-12-90).
  - .23 After exposure to a contagious disease when attendance on the job, in the opinion of the City Physician, jeopardizes the health of others.
- .3 Sick leave with pay shall be granted to regular and part-time employees in accordance with the following provisions:
  - .31 Sick leave used shall not exceed the total amount accrued to the employee at the time of his absence.
  - .32 Leave without pay may be granted for sickness extending beyond the amount of accrued sick leave. After each thirty (30) days during such leave without pay, the employee shall present to his department head a doctor's statement of his continued inability to perform his normal duties (see "Leave Without Pay").
  - .33 After six (6) months' service, accrued vacation leave may be used for sick leave when accrued sick leave has been expended.
- .4 Sick leave shall be accrued for regular and part-time employees as follows:
  - .41 Sick leave shall start to accrue on the first day of the month which coincides with or next follows the date of employment, and shall be credited on the first day of the month following the month of commencement. Sick leave may not be expended until after completion of one full calendar month.

- .42 For Professional/Managerial, Exempt Supervisory and Exempt Administrative and Office/Technical employees, one (1) full day shall be accrued for each full calendar month of service.
- .43 An employee may accrue a maximum of one hundred fifty (150) working days of sick leave.
- .44 See Section 303.32 regarding guidelines for leave accrual for part-time employees (Rev.: 06-12-90).
- .5 Sick leave shall be computed as follows:
- .51 The amount of sick leave expended shall be computed as the exact number of days (or hours) an employee is scheduled to work during the period leave is taken. Minimum sick leave expended shall be one (1) hour. It is not the intention of this policy for employees to routinely use sick leave in one (1) hour increments (Rev.: 06-12-90).
- .52 Holidays and other days not scheduled for work shall be excluded in computing sick leave expenditures.
- .53 Employees in classifications designated as Professional/Managerial (PM), Exempt Supervisory (ES), Exempt Administrative (EA) and Office/Technical (OT) may convert accrued sick leave in excess of one hundred twenty (120) days to vacation leave, provided the total accrued vacation leave may not exceed the maximum allowed under "Vacation Leave" provisions. Conversion shall be at a ratio of one (1) vacation day for one (1) day of sick leave.
- .6 Change of appointment, transfer or separation shall affect accrued sick leave as follows:
- .61 Service as a temporary employee shall not be used to determine sick leave accrual.
- .62 A regular or part-time employee transferring from one department to another shall have his total accrued sick leave transferred to the new department. The accrued sick leave shall be recorded on the Personnel Action form.
- Effective 07/01/91
- .63 Upon retirement (age 55 or older) or death, employees with at least one hundred and twenty (120) days of accrued sick leave shall receive payment for accrued sick leave at a rate of one (1) day of pay for every three (3) days of sick leave up to a maximum of forty (40) days of pay.
- .64 A regular or part-time employee who leaves the classified service to enlist in active military service other than a reserve unit and who applies for re-

employment within fifteen (15) days after having been rejected or ninety(90) days after an honorable discharge shall have the former unused sick leave credits reinstated (see provisions for military leave).

.65 A regular or part-time employee who is laid off and returns to City employment within one (1) year from the date of layoff shall have the former unused accrued sick leave reinstated.

.7 Other factors relative to sick leave include:

.71 Sick leave shall not be used during periods of suspension.

.72 An employee who is absent from duty for reasons which entitle him to sick leave shall notify his supervisor within a reasonable time prior to the beginning of the work shift if physically able to do so.

.73 When an absence due to illness exceeds five (5) days, the employee shall present a medical statement from a doctor describing the illness, and a medical release from the City Physician, upon returning to work (Rev.: 06-12-90).

.74 When an absence exceeds thirty (30) calendar days, the employee shall present to his department head, each thirty (30) calendar days, a doctor's statement of continued inability to perform normal duties.

.75 A department head may, when the absence is five (5) days or less, require an employee to present a doctor's statement before authorizing sick leave expenditure.

.76 An appointing authority may investigate the alleged illness of an employee absent on sick leave.

.77 False or fraudulent use of sick leave by an employee shall be cause for disciplinary action which may include dismissal.

.78 The department head may request at any time a doctor's statement or medical opinion from the City Physician regarding the employee's physical ability to perform the duties of the job.

.79 Employees who apply for promotional opportunity must meet the established guidelines on absenteeism as a factor in determining promotional qualifications prior to being certified.

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## **Appendix C**

### **City of Tulsa Personnel Policies and Procedures, Section 126**

#### 126. Absenteeism Guidelines for Promotional Opportunity

- .1 An employee's absence from work shall always be a factor to evaluate when determining whether the employee is to be certified for a promotional opportunity. Absence for this purpose shall be defined as sick leave and unscheduled leave without pay.

There is no simple, easy or routine method to evaluate absenteeism. The final decision must be made by the Personnel Department upon a thorough review of the available facts. Reasonable accommodation for qualified persons with disabilities will be made by the City. However, the candidate must be able to perform the essential functions of the job without imposing an undue hardship on day-to-day operations of the department.

- 126 .2 The following guidelines should be used for each employee applying for a promotion:

- .21 Two (2) periods of time should be analyzed in respect to absenteeism:

- (a) The one-year period ending on the closing date:

A general guideline shall be that leave taken in excess of ten (10) days per year shall be unacceptable. Leave shall be both sick leave and unscheduled leave without pay.

The period from the date of hire to the closing date:

1. An employee should have accrued two (2) sick leave days per year of employment with the City (Example: 12 years with City x 2 = 24 days accrued sick leave).

.22 As a guideline, an employee who has accrued less than two (2) days per year since their date of hire has exhibited a pattern of absenteeism. A minimum of two (2) years' service is required to evaluate a pattern. When reviewing employees with less than two (2) years employment, their sick leave usage should be prorated.

.23 Usage in excess of either of the above guidelines may be reason for non certification.

.24 Whether such leave is justified or not is very difficult to evaluate and not always relevant. Generally, leave taken one (1) or two (2) days at a time is less justified than that taken for several days in succession. Regardless of the reason, if an employee is absent from the job, the employee is not productive, work is not getting done, and other employees must cover for the absent employee. The higher the position, the more essential it is to have employees on the job at all times.

.25 One of the main considerations is whether the employee has exhibited a "pattern of absenteeism." The best way to predict future performance is to evaluate the past. If an employee has demonstrated a continual pattern of absenteeism throughout their employment, there is no reason to assume that the pattern will change after the promotion. That is not to say that behavior never changes - it can and does; however, the behavior (or absenteeism) should reflect a change prior to receipt of a promotion rather than hoping that it will change after promotion.

126 .2 .26 Employees who continually use all or most of their sick leave as it is accrued have established a pattern of absenteeism. This is true even if the employee has taken less than ten (10) days per year over the entire period of employment.

.2 .27 Individual cases where an employee is absent for very obvious and justifiable reasons should be considered in light of the test for a pattern of absenteeism as discussed above. If there is no pattern of absenteeism, such non-recurring and justifiable absences of five (5) days or more should not be counted against the employee in computing the amount of leave taken. The extended period should be counted as one (1) day.

## **Appendix D Survey Cover Letter**

August 8, 2003

Attached is a survey that is part of an Applied Research Project for the Executive Fire Officer Program at the National Fire Academy. Your cooperation in completing the survey is requested and greatly appreciated.

The person completing the form needs to have knowledge of any policies and procedures controlling sick leave use by members of your department. If you are not the appropriate person to fill out the survey, I would appreciate it if you would forward it to the appropriate person.

The purpose of the Applied Research Project is to develop a procedure to identify suspected patterns of inappropriate sick leave usage by members of the Tulsa Fire Department and to develop recommendations to address the abuse.

This survey will identify what other departments have done to identify and resolve the abuse of sick leave in hopes the Tulsa Fire Department can benefit from your experiences.

Again, I sincerely appreciate your input and I thank you in advance for your effort in completing the survey.

Please print and return the survey by fax to: Deputy Chief David Hayes (918) 596-9383

If you need to contact me directly, my office number is 918-596-1216.

Thank you.

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## **Appendix E**

### **Survey of Fire Departments**

#### **Identifying Sick Leave Abuse by Fire Department Members**

The following survey is to seek information concerning how fire departments have dealt with the problem of identifying and resolving sick leave abuse by employees. Please complete the following survey using information from the operation of your department.

1. Does your department have a policy providing a sick leave benefit for members who are ill and unable to report to work?

\_\_\_\_\_ Yes \_\_\_\_\_ No If no, please return this survey at this time.

2. Where is the policy found and what is it based on? (Department policies and procedures, state law, municipal policies, etc.)

3. Has your department experienced identifiable trends/patterns of sick leave abuse by members of the department?

\_\_\_\_\_ Yes \_\_\_\_\_ No If no, skip question four and five.

4. If your department has identified sick leave abuse, what were the trends/patterns of abuse noted in your department? (Specific days of the week, months of the year, before and after holidays, before retirement, etc.)

5. If sick leave abuse has occurred in your department, what methods were used to identify and document the abuse?

6. How does your department document attendance and leave records for your employees? (Please note the use of any commercially available software if applicable.)

7. In your opinion, is the record keeping of your department adequate when it comes to documenting attendance and leave of employees, especially sick leave?
- \_\_\_\_\_ Yes \_\_\_\_\_ No                      Comments?
8. What policies or procedures has your department implemented to reduce the inappropriate use of sick leave by members of the department?
9. Which of those policies or procedures (from question eight) have been successful in reducing the sick leave taken by members of the department?
10. Please provide any recommendations you feel would help a fire department more successfully track and address sick leave abuse by employees.

Please return this survey and, if possible, a copy of your sick leave policy to:

Deputy Chief David Hayes	Office-	918-596-1216
Tulsa Fire Department	Fax-	918-596-9383
411 S. Frankfort	Email-	dhayes@ci.tulsa.ok.us
Tulsa, Ok. 74120		

Thank you for your time and effort in completing this survey.

## Appendix F Survey of Fire Departments

### Identifying Sick Leave Abuse by Fire Department Members

- 1. Does your department have a policy providing a sick leave benefit for members who are ill and unable to report to work?**

  7   Yes   0   No If no, please return this survey at this time.

- 2. Where is the policy found and what is it based on? (Department policies and procedures, state law, municipal policies, etc.)**

Tucson--The director of human resources with the approval of the City Manager.

Dallas--The City personnel rules.

Omaha--The Union contract and the Standard Operating Guidelines.

Kansas City--Kansas City Fire Department Policies.

Ft. Worth--State Law, Personnel Rules, and SOP.

St. Louis--Department Policies.

OKC--CBA, Fire Department Policies, OKC Personnel Policies.

- 3. Has your department experienced identifiable trends/patterns of sick leave abuse by members of the department?**

  4   Yes   3   No If no, skip questions four and five.

Dallas

OKC

Omaha

St. Louis

Kansas City

Tucson

Ft. Worth

- 4. If your department has identified sick leave abuse, what were the trends/patterns of abuse noted in your department? (Specific days of the week, months of the year, before and after holidays, before retirement, etc.)**

Dallas--Monitors day of the week, month of year, holidays, and before retirement.

Omaha--Last or first day of a work set, holidays, and before retirement.

Kansas City--Weekends, holidays, and deer season

Ft. Worth--Before retirement

**5. If sick leave abuse has occurred in your department, what methods were used to identify and document the abuse?**

Dallas--Time cards.

Omaha--Tracking individual sick leave and charting overall sick leave use.

Kansas City--High percentages of use.

Ft. Worth--Common knowledge verified by statistical analysis of leave time.

**6. How does your department document attendance and leave records for your employees? (Please note the use of any commercially available software if applicable.)**

Dallas--Use of an in-house system.

Omaha--Leave is submitted electronically and documented on a program called "Purse".

Kansas City--Homegrown payroll system.

Ft. Worth--Individual attendance forms are compiled and stored in a "Legacy" absentee system.

OKC--Time cards, AGNI, and Kronos computer programs.

St. Louis--In-house database (DATAflex).

Tucson--Leave accruals, usage and balances are maintained through Advantage H.R. Release 2.3.2. Attendance is documented through Telestaff by Principal Decision Systems International (PDSI).

**7. In your opinion, is the record keeping of your department adequate when it comes to documenting attendance and leave of employees, especially sick leave?**

\_\_\_7\_\_\_ Yes \_\_\_0\_\_\_ No                      Comments?

Ft. Worth--It captures the information but it is an archaic system.

Tucson--Telestaff provides ad-hoc reports based on the various leave codes.

**8. What policies or procedures has your department implemented to reduce the inappropriate use of sick leave by members of the department?**

Dallas--Supervisors follow a policy that allows them to call members at home to check their status and members must remain at home from 8-5pm on their workday. Members must bring doctor's statements to work under certain conditions after reporting off.

Omaha--In the process of developing a procedure to address the fairly recent appearance of sick leave abuse. Increase results from recent contract increase in sick leave amount.

Kansas City--Counseling employees who exceed certain levels of usage.

Ft. Worth--We have vacation sell back each year. The amount firefighters can sell back is based on use of sick leave.

OKC--Other benefit leave days paid. Examples include: holidays, vacations, bonus days, emergency leave, military leave, jury, voting, injury, FMLA, flex time, death, sick leave donation. Policy may require physician's statement for three or may days of usage.

St. Louis--Residency checks when on sick leave. Indicates firefighter must stay home. Sick leave bonus in the amount of 20.8 hrs. pay for no sick leave.

Tucson--Members who have not used in excess of one 24-hour shift in six months due to lost time or unscheduled vacation get one day of leave and again for each six months thereafter. No more than two such days can be accumulated at any time.

Modification of sick leave payment for retiring commissioned employees. Accrued sick leave payment of 288 hours at 100% only for those who achieved a 288 hr. minimum balance and a 50% payment for those with less than 288 hours or for any hours over 288. Sick leave sell back --Commissioned employees are eligible for sick leave sell back

<b>Years of Service</b>	<b>Minimum SL Balance</b>	<b>SL Days Available to Sell</b>
5	45 days	7 days
10	55	13
17	65	20
22	75	26

Sick leave days sold are paid at 100% over a one year period in equal amounts.

**9. Which of those policies or procedures (from question eight) have been successful in reducing the sick leave taken by members of the department?**

Dallas--A doctor's statement brought back to the department does limit the number of days being taken.

Omaha--The most effective program was giving extra furlough hours for which you could be paid at the end of the year but you must have your maximum sick leave bank.

Kansas City--Counseling has been most effective.

Ft. Worth--None are effective.

OKC--Extra leave benefits available and requiring a doctor's statement.

St. Louis--The residency checks and sick leave bonus.

Tucson--Additional leave and the retiring leave, but the sick leave sell back program is very successful since the amount paid can increase the pension when they retire.

**10. Please provide any recommendations you feel would help a fire department more successfully track and address sick leave abuse by employees.**

Dallas--Require a doctor's statement or release after a specific number of days. Tracking and documenting time off should be a supervisor's function to identify trends.

Omaha--Department is having all people who call in sick write a letter explaining their illness. Statistics state a person will not have the flu more than four times a year.

Kansas City--Incentives for perfect attendance (leather helmets, leather boots, etc)

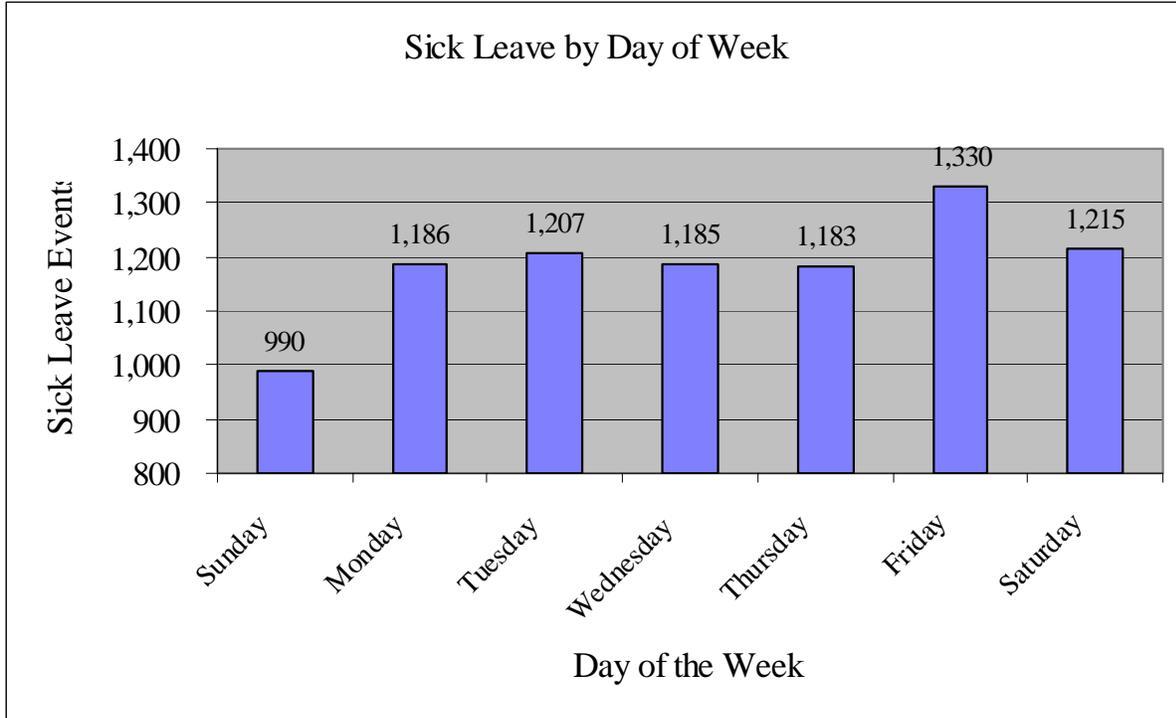
Ft. Worth--None

OKC--Supervisor tracks employees and asks for updates.

St. Louis--None

Tucson--None

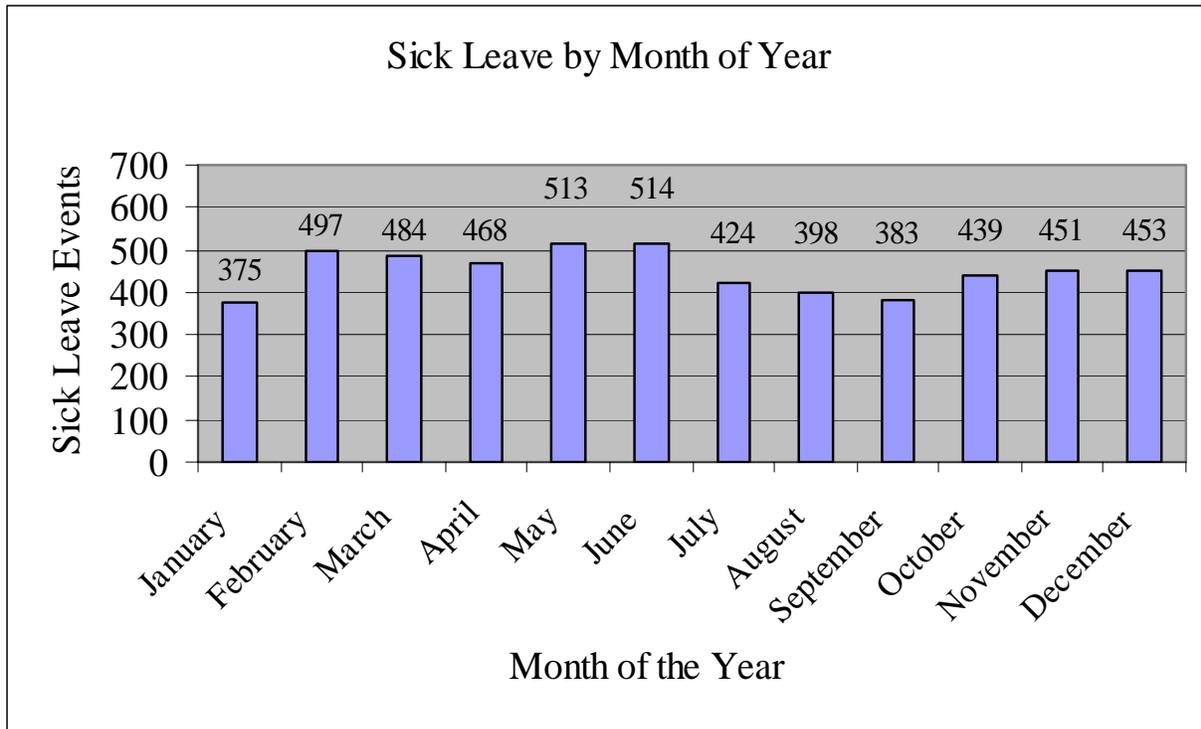
**Appendix G**  
**Sick Leave by Day of the Week**  
**January 2001-July 2003**



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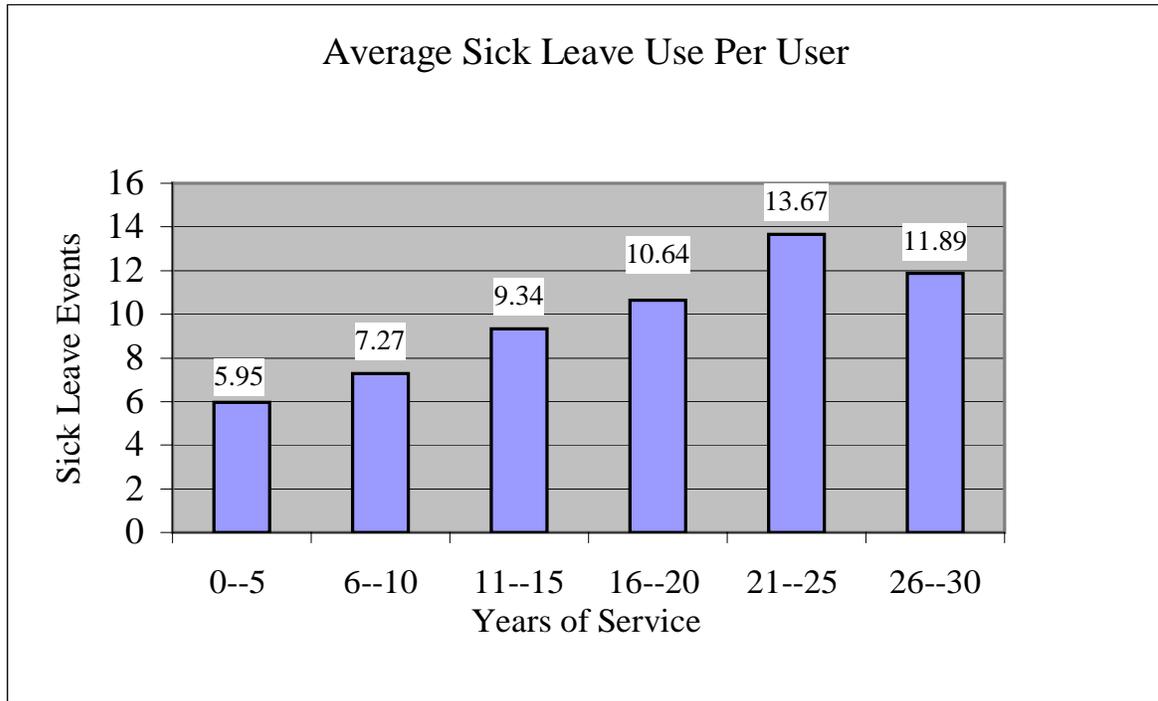
### Appendix H Sick Leave Events by Month of the Year, 2001-2002



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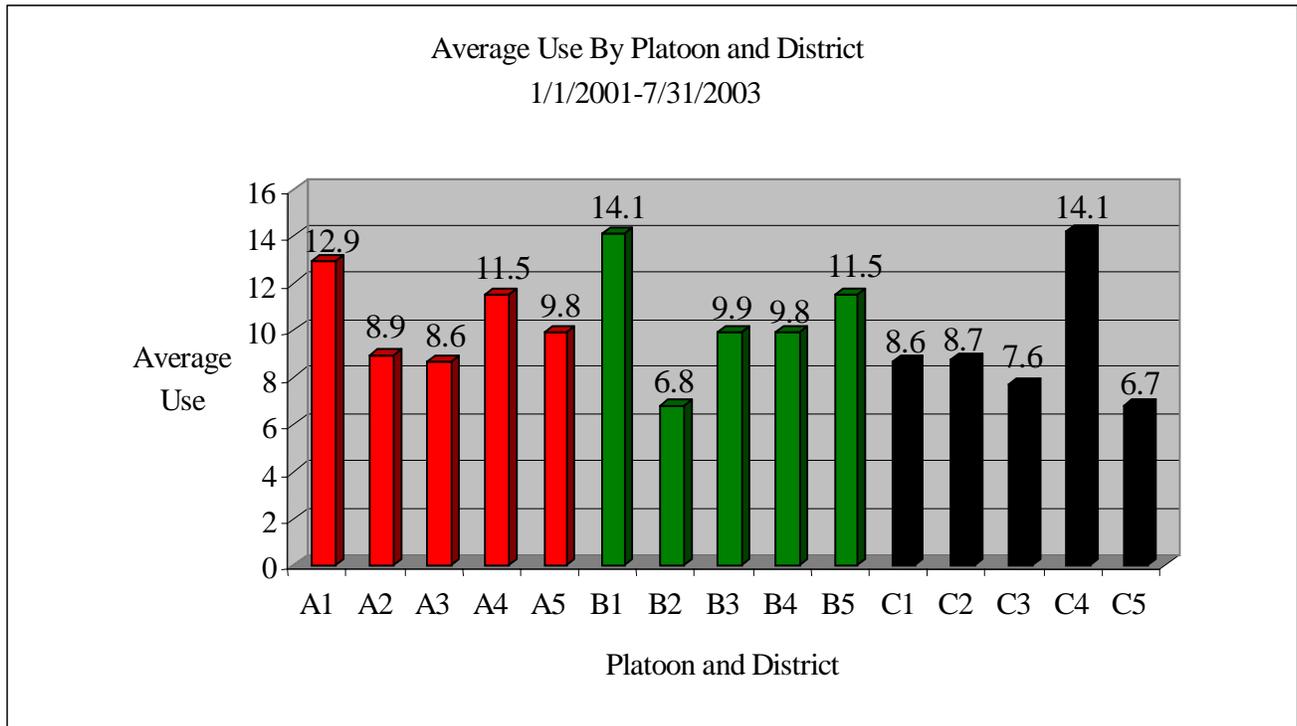
### Appendix I Average Sick Leave per Firefighter by Years of Service



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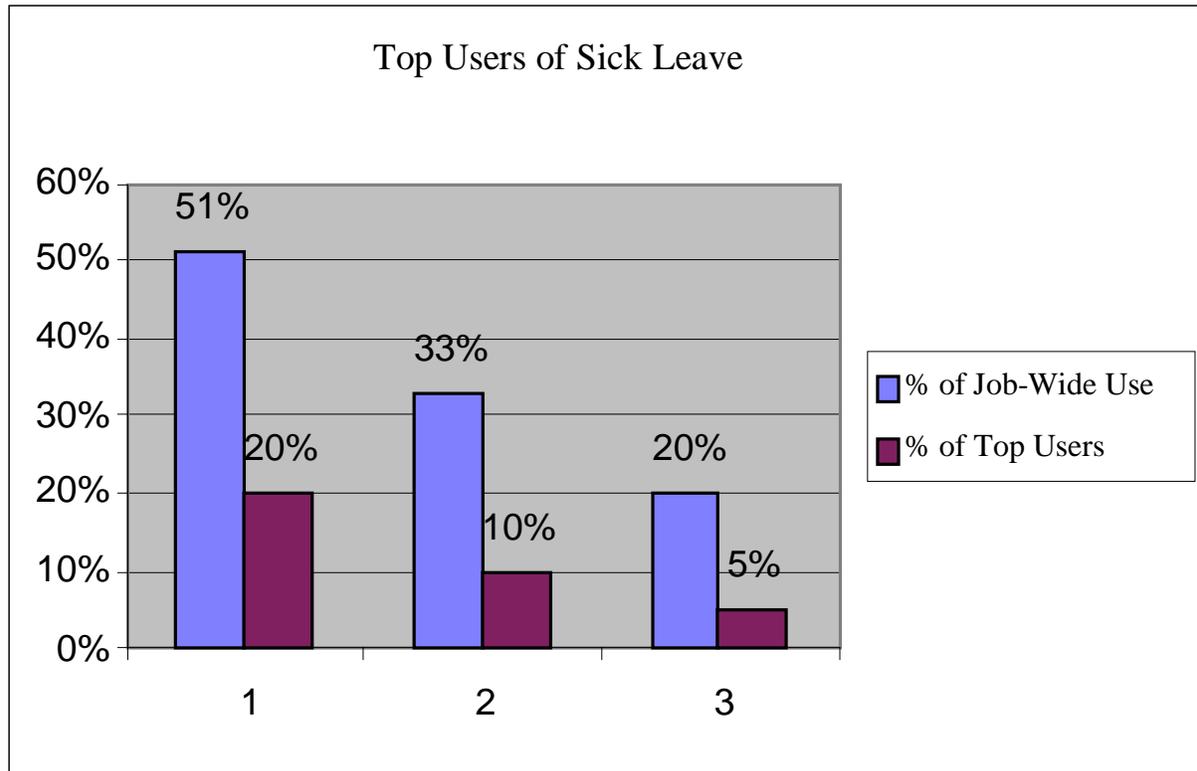
### Appendix J Average Sick Leave Use by Platoon and District



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### Appendix K Percentage of Total Sick Leave Use by Top Users



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## Appendix L PowerPoint® Presentation

# Tulsa Fire Department

## Sick Leave Evaluation for Chief Officers

David A. Hayes  
Deputy Chief of Field Operations

1

## Mission Statement

The Tulsa Fire Department is dedicated to the protection of community life, health, property and the environment by delivering quality life and fire safety services.

2

## Goals of Discussion

To inform Chief Officers about present and future staffing concerns.

To explain the impact of staffing shortages on service delivery to the community.

To demonstrate the identifiable patterns of sick leave abuse present on the department.

3

## Goals- Continued

To inform the Chief Officers of the department's intent to address the sick leave abuse problem.

To inform the Chief Officers they will be included in the responsibilities of monitoring and reporting absenteeism.

4

## Present Staffing Situation

Currently Tulsa Fire has 14 vacant firefighter positions.

No new cadet class is planned until July 2004.

By July 2004 the department will have 43 vacant positions through known attrition.

5

## Staffing- Continued

Unknown attrition for TFD is historically at least 68% greater than known attrition.

Therefore, TFD could potentially have 70-80 vacant firefighter positions by July 2004.

6

## Impact of Firefighter Shortage

Engine 1 was shut down on July 1, 2003 due to staffing shortages.

Truck 30 will be shut down in February 2004 due to additional shortages.

More companies will be shut down as staffing shortages dictate.

7

## Impact of Firefighter Shortage

For the first time, TFD will be *reducing* its capability to deliver service to the community due to staffing shortages.

8

Therefore,

Reducing sick leave abuse is a responsible approach to increasing staffing levels for TFD.

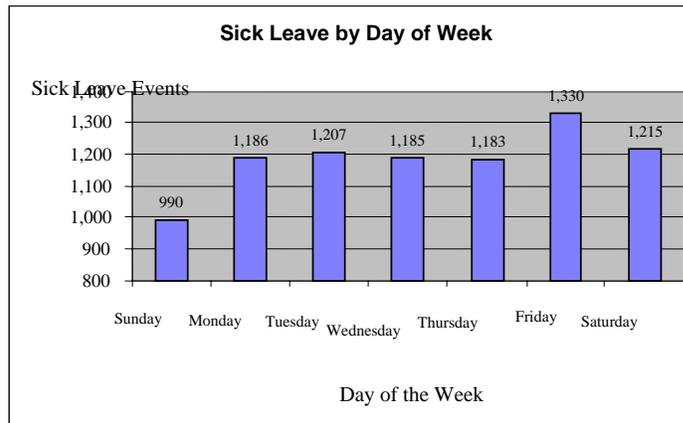
9

What Trends Do We Have?

Increased sick leave on certain days of the week.

10

## Sick Leave by Day of the Week



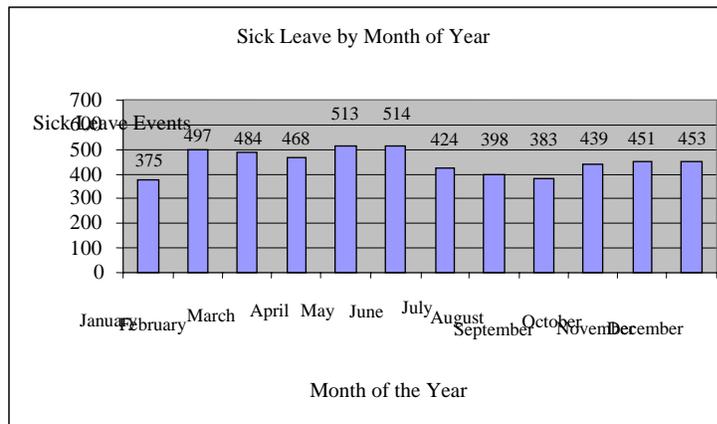
11

## Trends- Continued

Changes in sick leave use by month of the year.

12

## Sick Leave by Month of the Year



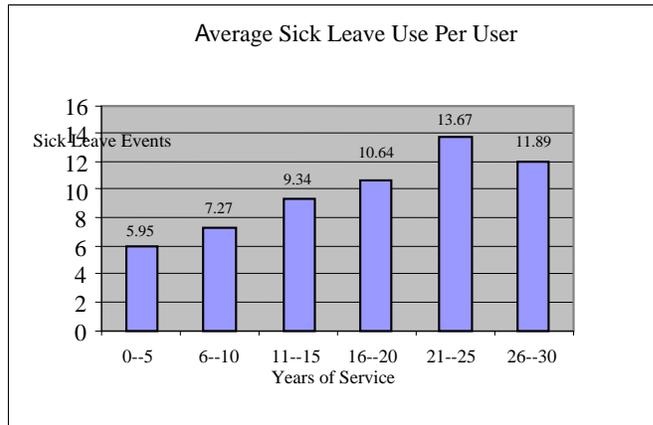
13

## Trends- Continued

Increasing sick leave by years of service on the job.

14

## Sick Leave by Years of Service



15

## Trends- Continued

Use of sick leave next to other forms of leave.

16

## Sick Leave Next to Other Leave

Research reveals a propensity for sick leave users to combine sick shifts with hours reduction shifts.

Research also reveals sick leave is used to extend vacation shifts.

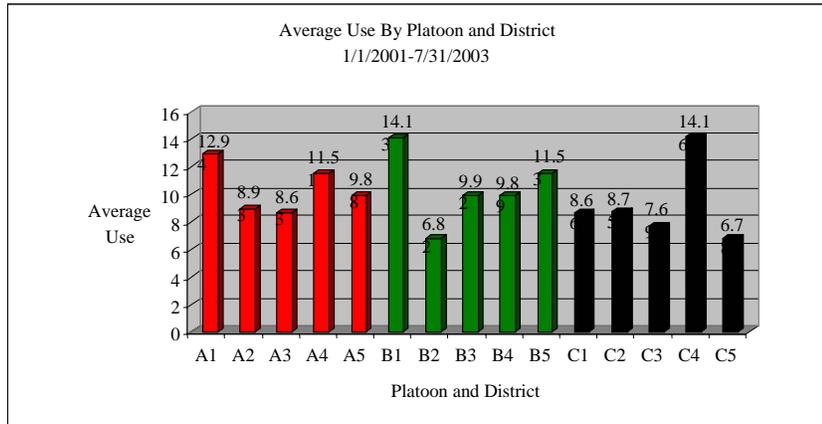
17

## Trends- Continued

Varying use of sick leave by Platoon and District.

18

## Sick Leave by Platoon and District



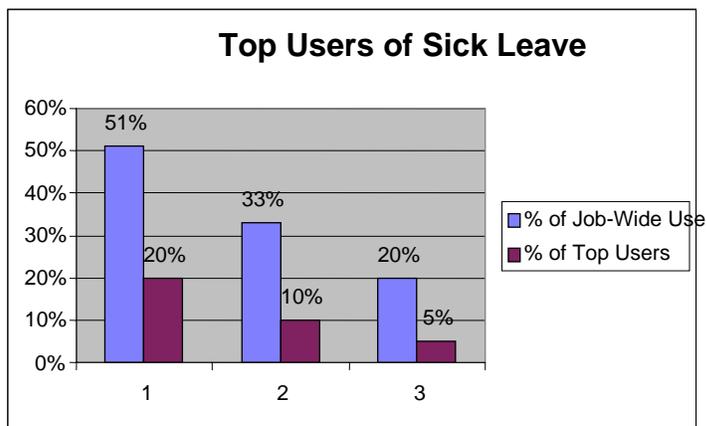
19

## Trends- Continued

Large portion of sick leave used by the top users of the department.

20

## Sick Leave by Top Users



21

## What Can Be Done?

It is essential to involve front line supervisors if a sick leave management policy is to be effective.

Involve all Chief Officers in monitoring, reporting, and administering the department's sick leave policy.

Company Officers must be included and held responsible for compliance and monitoring.

22

## What Can Be Done?

The Tulsa Fire Department must make a commitment to regular and consistent application and enforcement of the sick leave policy.

23

## What Can Be Done?

We will inform firefighters of the negative impact absenteeism has on the mission statement of the department.

24

## What Can Be Done?

We will place a new effort on advising firefighters it is the expectation of the department that sick leave will be used only for the purposes stated in Article 21 of the Collective Bargaining Agreement.

25

## What Can Be Done?

Violations of Article 21 will be subject to progressive discipline applied in a consistent manner.

26

## What Can Be Done?

The Department needs to:

Acquire a sick leave tracking system capable of providing quarterly sick leave reports to front line supervisors.

Pursue realistic incentives for firefighters with full sick leave banks.

Provide incentives to reduce pre-retirement use of accrued sick leave.

27

Thank you!

28